

*The Controversial Letters,*  
OR THE  
**Grand Controversie,**

Concerning  
The pretended Temporal Authority  
of **POPPES** over the whole Earth, and the  
true Sovereign of **KINGS** within their  
own respective Kingdoms.

Between two English Gentlemen,  
The one of the Church of *England*:  
The other of the Church of *Rome*.

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**The first two Letters.**

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The Second Edition.

*Wh: Peterbor.*

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L O N D O N,

Printed for Henry Brome, and Benjamin Toke,  
at the Gun, and at the ship in St. Pauls Church-  
Yard. MDCLXXIV.



Grand Controversie  
OR THE  
The Controversial Points



The Second Edition.  
1503-80

Printed for Henry Brown, and Benjamin Toke,  
at the Church.

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Peterborough Cathedral

SIR,



Fear the heat of our last Encounter may have done me some prejudice in your good opinion, and would justifie to you, if I can, both my zeal and my friendship. Permit me therefore with a more settled calmness to give you the Reasons which sway'd with me then, but which the promptness of my nature possibly might so disguise, that they might not then appear reason to you. As this is my only, so I hope 'twill be my full justification; for though we ow much to friendship, we ow more to Truth, and that Friend who bars the use of reason in his Friend, does, in my judgment, ill deserve that Name. Notwithstanding let me add what I think you are already sufficiently perswaded of, that I am far from the blind zeal of those who think Popery an imputation so scandalous and contagious, that it destroyes all correspondence with those who own it. I have met with several, besides your self, of your judgment in Religion, accomplisht men, and so qualified, that I cannot but wish either that all such men were Protestants, or all Protestants such men. I think so well of some parts of your Religion, that there are who think the worse of me. I read your books alwayes without hatred, and sometimes with pity at the unequal combat betwixt the Knight and the Giant, though I make no doubt you are even with us in this particular, and are all Knights in your own Countreys. When I hear People cry out Papists and Popery, I have sometimes the bluntness to ask what they mean; for having heard them apply'd both to Prelatics and Fanatics, they must needs be words of a strangely large size, and magical comprehension, if they can fit parties so different, and what know I but they may

be so explain'd, that you may own them no more than other folks? In fine, I look upon my reason as one of the greatest gifts I have receiv'd from God, and am perswaded 'tis a duty I owe him to use it as well as I can. Wherefore I as little approve the passionate zeal of our side, as I understand the sublime perfection of blind obedience on yours; but where I see you have reason, I am content to allow you have so. Yet after all, Friend, I must continue constant to what I maintain'd at our last meeting. I love my King and my Countrey as I ought, and can neither believe that can be a true Religion which teaches doctrines inconsistent with Government, nor believe otherwise but that yours does teach such doctrines. And though I know their pestilent influence does not always work, for you have in the late times of tryal approved your selves honest men, yet I cannot think that Commonwealth safe in which they are either tolerated or conniv'd at. Of this I will make your self Judge, and in this Paper produce my evidence, which shall be the very words of the most famous Authors amongst you, who if they be sufficient for number, and considerable for learning, and plain in expression, and own'd for yours, I see not what more can be expected from me, nor what at all can be reply'd by you or any else.

Bellarmin. de  
Rom. Pot. l. 5.  
c. 2.

Id. c. 3.

To begin then, there are I must confess some modest men amongst you, who speak sparingly of the Pope, and affirm *Princes are not the Popes Vicars*. These exempt from his Sovereignty the greatest part of the World, for they make *Infidel Princes true and supreme Princes of their own Kingdoms*, and say, *the Pope is not Lord of those possessions which Infidels hold*. Nay they go so far as to dare say, He is not, *PURE DIVINO*, Lord so much as of the whole Christian world. And that all his power to depose Princes, and dispose of their Kingdoms is only indirectly, and in ordine ad spiritualia, which alas! is a matter of nothing, and he must needs be a very scrupulous man who boggles at it. For this opinion are cited besides two Cardinals, *Bellarmino* and *Cajetan*, abundance of other famous men with hard names, *Henricus* and *Joannes Driedo*, *Turrecremata*, *Pighius*, *Waldensis*,

denfis, Petrus de Palude, Franc. Vittoria, Dominicus Soto, Sanderus, Aspileveta, Covarruvias, and so many others, that Bellarmine affirms it is *communis sententia Catholicorum Theologorum*, though in that particular, as you will presently see, he was a little out. But these, as many and as learned as they are, are but dow-bak't men, and scent strongly of wicked carnal policy, and heresie too, as an honest Gentleman fairly insinuates by the title of his Book, *adversus im-*

Alex. Carverius.

*pios Politicos, & nostri temporis Hareticos*, design principally against this opinion. And so Bellarmine scap't fairly; for Sixtus Quintus, if the information I had from a very good hand deceive me not, had a great mind to have burnt his book: Though he scap'd more narrowly at Paris for giving too much to the Pope, than at Rome for giving too little. His fellow Suarez had his book burnt there by the common Hangman, and he was found guilty of the same fault: but he was a Cardinal, for which respect I suppose they dealt more mercifully, and only condemn'd and forbid him. But this by the by. Your hearty men, whom the bugbears of carnal policy cannot fright from the defence of truth, tell us another story, and say plainly what we must trust too. Un-

less, says Franciscus Bozius, there be one supreme Monarch in the Church in all things, the unity of the Church cannot be preserved: for seeing the Church by divine institution doth consist of a Kingdom and a Priesthood, if it were otherwise, there should be in the same absolutely one Monarch of the Kingdom, and another of the Priesthood: That if for avoiding dissensions about sacred causes, one supreme Head is appointed; why not in the same manner of the Kingdom, that there should be one and the same Head both of the Kingdom and Priesthood, lest in like sort there should happen dissension betwixt them? that therefore it is the rather to be held that Peter doth supply Christs place, not only in the Priesthood, but in the Kingdom, that he might be a King, and likewise a Priest according to the order of Melchisedech, who was both a King and Priest.

Fr. Bozius de  
Temp. Eccl.  
Monarchia  
pres. ad  
Clem. 8.

The famous Cardinal Baronius sayes the same: That David did foretell that the Priesthood of Christ should be according to the order of Melchisedech: That when Christ being a King

Biron. Ann.  
Tom. 1. An. 57.  
p. 432. 433.

and.



and a Priest received all judgment of the Father, that is, most full, judicial power; He joyning the same with his Priesthood did institute in the Church a regal Priesthood, translating in suos (I conceive he means St. Peter and his Successors) all the power he had of his Father. This new coronation of King Peter so long after his death, and the mystery of King and Priest meeting in Melchisedech, which St. Paul never dreamt of, though he treat the subject particularly; and something to better purpose, and the admirable expedient to avoid dissensions by taking away Regal power are pleasant matters, and deserve to be reflected on, but that I have so much of this divertive stuff to produce that I cannot stay every where.

Tho. Bozias de  
jure stat. pre-  
fat. ad Aldo-  
brand.

Isid. Moscon.  
de Majest. mi-  
litan. Eccles.  
P. 96.

Thomas Bozias tells us, that if Christ be King of Kings, and Lord of Lords; in like sort the Church must be Queen and Lady; that all temporal Regal power doth reside first in the soul of Christ, and then in the Church his Spouse, the Queen of the World, and from her is deriv'd to others (Faithful or Infidels) as out of a fountain. Isidornus Mosconius sayes to the same purpose, That not only all faithful people, but likewise Infidels, and every natural creature is subject to the commandment of the Pope; he is to be worshipped of all men; and for this cause he receiveth of all the faithful, adorations, prostrations, and kissing of his feet. What pretty truths there are in the World which negligent men overslip by inadvertence? who would have thought the Mogul, and King of Pegu, and Chinese Tartar had deriv'd their little streams of power from the great Channel of the Church? Ungrateful men, who so little acknowledge their Benefactors! But since all natural creatures are subject to his commands, I wish some body that has credit would prevail with him that Lyons, and Bears, and Adders, and such naughty natural creatures might be forbidden to do us any harm for the future. For as simple as he seems to sit at Rome, and though he is pleased to make but little shew of any such power, he can stop the mouths of Lyons, and quench the violence of Fire. So that had we not been Hereticks, he might have done us a greater kindness here at London in the time of the late dismal Fire then we are aware of. I warrant you he could have whisper'd  
down

down the wind, and with one grave Nod have cool'd the courage of the Fire. But let us return to *Moseonius*, teaching us farther, that the Pontifical and Regal power, and all other powers are most plentiful in the Pope, and do reside in the Pontifical dignity. That all dominions whatsoever depend upon the Church, and upon the Pope as Head of the Church. That in the Pope Authority is consider'd, in Emperors and Kings power, and thence it is that power doth depend upon Authority. That the Pope is call'd universal Judge, King of Kings, and Lord of Lords. That Emperors and Kings may be compell'd to keep their oaths taken in their Coronation and Confirmation, in that by virtue of such oath they are made the Popes Subjects. That all temporal Jurisdiction must be exercised, not at the Popes command, but at his Beck. Princes will charge, command; God who is Lord of all doth by his beck command, according to that, *Dixerat & nutu totum tremefecit Olympum*. That Christ had full Jurisdiction over all the world and all creatures, and therefore the Pope his Vicar hath so. In truth these Authors of yours are considerative men, and as careful as they are able. They reflect that Popes are generally old men, and have often weak lungs; and 'twas charitable to exempt them from the painful trouble of commanding, and make a nod serve the turn. *Carrerius* in his zeal against impious Politicians and Heretics, teaches us, That true, just, ordain'd by God, and mere dominion, as well in spiritual things as in temporal, was brought forth by Christ, and the same was committed to St. Peter and his Successors: That Christ was Lord over all Inferiors, not only as God, but likewise as man, having even then Dominion in the earth, and that therefore as the dominion of the world was in Christ both divine and humane, so it must be confessed that it was in the Pope his Vicar. That the mystery of Redemption being accomplish'd, Christ as a King gave unto Peter the administration of his Kingdom, and St. Peter did execute that his power against Ananias and Saphira. That Christ as he is man is directly Lord over all the world in Temporalities, and that therefore the Pope is so likewise, in that he is Vicar: That the supreme power of judging all, and the top of dignities, and the height of both powers are found in Christ's Vicar: That as

P. 91.

P. 636.

P. 670.

P. 27.

P. 677.

P. 80.

P. 85.

Alex. Carrer.

de Potest. Rom.

Pont. p. 9.

P. 111.

P. 124.

P. 126.

- P. 150. \ the divine and humane dominion were in Christ, so in Christ's  
stead the dominion of the world in the Pope is both spiritual  
P. 151. and temporal, divine and humane. That the unremovable  
Truth doth design, by Peters only coming by water to Christ,  
that the whole dominion, which is signified by the Sea, is com-  
mitted to St. Peter and his Successors. 'Tis quaint that and  
surprizing; but yet this water me thinks is something an un-  
steady foundation) That as the Pope cannot say he is not Christ's  
Vicar, so he cannot deny but that he is Lord over all things,  
because the earth is the Lords and the fulness thereof, whereby  
all things, heavenly, earthly, and infernal are subject unto  
Christ the Lord; and thence it is that he did commit unto the  
Pope, who doth supply his place upon earth, the right of the  
Heavenly and Terrene Empire. That he should forget the in-  
fernal Empire, the famous Purgatory power! which for all  
it be under ground, time has been when no glebe above  
ground has been more fruitful. Elsewhere he teaches that  
P. 142. there are divers Powers of men given by God, and divers Au-  
thorities, all which do depend upon the highest Authority  
(meaning I suppose the Popes) and thence as the stars from  
the sun receive their light. That the Imperial power concern-  
ing the administration of temporal matters doth proceed from  
the Pontifical power, as the light of the Moon from the light of  
P. 145. the Sun: That the Empire of Rome before it was converted  
to Christ, was a dominion usurp'd and tyrannical, because the  
true dominion was in the line of Christ: That the Emperor is  
P. 161. the Popes Minister; for God did appoint him *tanquam summi  
Sacerdotis Ministrum*. That no King or Emperor hath juris-  
diction or dominion but from Christ, and by consequence can  
have none at all but from his Vicar. I understand now the  
reason St. Peter commands Christians to be obedient to the  
Authority of Heathen Princes and Governours, because he  
knew very well how they came by it: For though all their  
power before was usurp'd and tyrannical, yet after they had  
deriv'd it from him it became a lawful Authority. If our  
wicked Politicians be not confounded with this I know not  
what will do it; I am sure I am to meet with such stuff  
in a Church which boasts of purity of her doctrine, and  
which

which cherishes the Authors not only as good Christians, but learned men and Masters of Christianity. *Lalms Zecchi* tells us, that the Pope by the Law of God hath power and temporal dominion over the whole world: That the same is prov'd by the words, Luk. 22. Behold here are two swords, which signifie the power, spiritual and temporal: and because Christ, whose Vicar the Pope is, hath both powers according to the words Matt. ult. All power is given me in heaven and in earth; that thence it may be deduced that the Pope is absolutely Lord of all the Christian world; and Kings and Christian Princes are to acknowledge that they hold of him their Empires and Kingdoms, and all, that are faithful, ought to be subject unto him: and that as oft as such Princes do any great hurt in the Church, the Pope may deprive them of their Kingdoms, and transfer their right to others. *Franciscus Bozius*, That the supreme temporal jurisdiction throughout all the world doth belong to S. Peter's Successors: so as one and the same is the Hierarch and Monarch in all things. That Christ left the Church to be govern'd by the best form of government, but the best form of government is absolute Monarchy, even in all temporal things, therefore Christ left his Church to be so govern'd. That the Keys of Heaven were given to Peter, therefore of all the earth. That the right of dominion and relation of Infidels may justly, by the sentence and ordination of the Church, be taken away; because Infidels by reason of their infidelity deserve to lose their power over the faithful. That the Church hath receiv'd that power over Nations, which Christ according to his humane nature receiv'd of his Father: but Christ receiv'd absolutely of his Father all power in temporalibus, therefore the Church likewise receiv'd it by participation of his fulness. That the supreme coactive power in all temporal things belongeth to Ecclesiastical persons by divine Law, revealed and expressed in the Scriptures. That Kings, anointed with holy Oil, are called as Vassals of the Church. That by reason of the supreme Monarchy in all things, temporal laws may be made, and Kingdoms taken away for just causes. *Henricus Gandavensis*, if *Carrerius* cite him truly, That by the Law of God and nature the Priesthood doth over-

*Lal. Zecch.  
Tract. Theol.  
P. 81.*

*Fran. Boz. de  
temp. Eccl.  
Monarch. l. 1.  
c. 3. p. 52.  
c. 7. p. 98.*

*L. 2. c. 14.  
L. 3. c. 1.  
p. 894.*

*c. 14. p. 530.*

*c. 16. p. 537.*

*P. 676.*

*L. 5. p. 823.*

*car. p. 28.*



top the Empire, and both Jurisdiction over Spiritualities and Temporalities, and the immediate execution likewise of them both, depend upon the Priesthood both by the Law of God and Nature. Antoninus, That they who say the Pope hath dominion over all the world in Spirituals, but not in Temporals, are like the Counsellors of the King of Syria, who said, the Gods of the Mountains are their Gods, and therefore they have overcome us; let us fight with them in the Plains and Valleys where their Gods dwell not, and we shall prevail against them, 3 Reg. 20. Augustinus Triumphus, That the Son of God hath declar'd the altitude of the Ecclesiastical power, being as it were founded upon a Rock, to be above all principality and power; that unto it all knees should bend, of things in heaven, in earth, and under the earth, or in hell. 'Tis come at last, this infernal power, 'twas only long of a bad memory we had it not before. That Secular Powers were not necessary, but that Princes might perform that through terror of discipline, which the Priest cannot effect by power of doctrine: and that therefore if the Church could punish evil men, Imperial and Secular principality were not necessary, the same being included potentially in the principality Apostolical. And why cannot the Church punish evil men, if both Juridictions, and the immediate execution of both be in her? But we understand him well enough; when time serves the conclusion shall be, that Princes are unnecessary, because the Church by her double power can do the business of the world without them; And so farewell useless Princes. Farther he tells us that Imperial or Regal power is borrowed from the Papal or Sacerdotal, for as much as concerneth the formality of dignity, and receiving the authority. Q. 39. a. 2. Pretty formalities those. That the Pope hath jurisdiction over all things; as will temporal as spiritual through the world. That he may absolve Subjects from the Oath of Allegiance: That upon just cause he may set up a King in every Kingdom; for he is the Overseer of all Kingdoms, in Gods stead, as God is the Supervisor and maker of all Kingdoms. Lancelet Conradus. That He may appoint Guardians and Assistants to Kings and Emperors when they are insufficient, and unfit

Carr. p. 130.

Carr. p. 130.

P. 131.

Aug. de Anc.  
de Potest. Ecc.  
Q. 39. a. 2.

Q. 45. a. 2.

Q. 46. a. 3.

L. conv. in  
templ. om. ju-  
dic. l. 2. c. 1.  
S. 4.

unfit for government. That he may depose them, and transfer their Empires and Dominions from one line to another. Celsus Mancinus, That in the highest Bishop both the Powers *cel. Manc. l. c. 1.* and Jurisdictions are spiritual and temporal; and that as he is the most eminent person of all men in spiritual power, so he is in temporal. Thomas Bozius, That Kings and principal Seculars are not immediately of God but by the Interposition of Holy Church, and her chief Bishops. That warlike and military compulsive power is given to the Church over Kings and Princes. That if it be found sometimes that certain Emperors have given some temporalities to the highest Bishops, as Constantine gave to Silvester, this is not to be understood that they gave any thing which was their own, but restor'd that which was unjustly and tyrannically taken from the said Bishops. Rodoricus Sancius, That there is one Principality and one Supreme Prince over all the world, who is Christ's Vicar, according to that of Dan. c. 8. He hath given him power, and honour, and rule, and all people and tongues shall serve him: and that in him therefore is the fountain and spring of all principality, and from him all other powers do flow. That the Bishop of Rome in place of Christ is set as a Prince over the whole world in spirituals and temporals, and that it is naturally, morally, and by the Law of God to be held with a right faith, that the Principality of the Bishop of Rome is the true and only immediate Principality of the whole world, not only as touching things spiritual, but likewise temporal, and the Imperial Principality is depending upon it, as being mediate ministerial and instrumental, ministering and serving it; and that it is ordained and instituted by it, and at the commandment of the Papal Principality is moveable, revocable, corrigible, and punishable. I marry! Here's a man speaks to purpose. Hang this squemish faint-heartedness, which serves for nothing but to cover an ugly face with a vizard as ugly. We know well enough what the mincing indirect in ordine ad spiritualia power would be at, and 'tis a great deal better to speak plainly, for Orthodox truths, such as concern the Law of God and right faith, should be spoken so that people may understand them and know their duty. As for Kings they are likely to boggle as much at the mask as the face. If they be turn'd out of their Kingdoms and reduc'd to beggery, the beggery will be direct

- beggery whatever the power is which brought them to it, and  
 this fine distinction but uncomfortable aims. One would  
 think this fellow were not to be match't. and what think  
 you of him who says in down-right terms, That the Pope hath  
 the propriety of the Western Empire, and the rest of the world  
 in protection and tuition. He bids fair this man; but of all  
 commend me to Jacobus de Teramo, who, explicating that scur-  
 vey text, Give unto Caesar the things that are Caesars, tells us,  
 It was spoken but for a time, not for ever; that it was to hold  
 only til the Ascension of Christ; and afterwards that should  
 come to pass which was spoken, when I shall be lifted up from  
 the earth I will draw all things after me; that is, I will re-  
 cover all the Empires and Kingdoms of the world, and will take  
 them from Caesar, from Kings and Princes, to give them to the  
 Pope. I have not met with any who bids fairer for the pur-  
 ple than this man; And so I leave him and the rest of your  
 learned Authors; for though more men might be alledged,  
 and more from these men, yet in truth I am weary, and  
 must pass over sundry passages of profound learning, and use-  
 ful knowledge, as that Papa is deriv'd from the Interjection  
 Pape! because his dignity and power is admirable to all men,  
 and is, as it were, the amazement of the World, according to the  
 Gloss in the Proeme of the Clementines, Papa, stupor mundi,  
 non Deus, non homo, sed utrumque. That he is God, best  
 defin'd by negation, so that if one ask whether the highest Bishop  
 be a Duke, a King, an Emperor, to answer warily we should,  
 by denying, affirm the Pope to be quid præstantius, quidve emi-  
 nentius. So that we may hope one day to see a mystical Theo-  
 logy made for the Pope, and the inaccessible mystery of his  
 power declar'd by negations. That unto the Pope, as Pastor of  
 the Church, and Bishop of that holy Sea, and by reason of his  
 dominion and excellence is given Adoratio Dulix, such worship  
 as belongs to Saints and Reliques. Besides, I have seen cited,  
 That he is holden to be Christ's Vicar not only in respect of things  
 in earth, in Heaven and in Hell, but even over Angels both good  
 and bad. That he is greater than Angels as touching dominion,  
 not in respect of himself merely, but by Authority from God;  
 and may be superior to any Angels concerning recompence of re-  
 ward, and may excommunicate them. That he is equal to God,  
 and

Alvar. Pelagi-  
us de planctu  
Eccl. l. i. a 37.

Tract. Monarch

Moscon. p. 22.

Manch. l. 3. c. 1.  
Carver. p. 132.

Moscon. p. 92.

Linc. Convad.  
l. 2. c. 1. S. 4.

August. Tri-  
ump. q. 18. a. 2.

art. 5.

and can make something of nothing, and wrong to be right; and such pretty matters, which if the ears of you Catholics were not as much hardned as the hearts of us Heretics, would sound a little odly. But to our purpose. The method of discourse requires now that I should apply these sayings to the matter in hand, but the application is so easie and obvious, that to spend time in it must needs be equally tedious and needles. For pray tell me, can any Commonwealth be safe, or subsist at all, if Princes have no dominion but what they receive from the Pope? If they hold their Empires and Kingdoms of him? if they may absolve their subjects from allegiance, and transfer their rights from one line to another? If they be his Ministers, his Vassals, his Subjects? If their power be ministerial and subservient to the Papal, to be exercis'd at his beck, and be at his command both corrigible and revocable? If any thing be plain in the world, this is, that either Princes must be taken out of the world, or these Maxims. For without more ado he that makes a Prince be a Subject, makes him no Prince, speaking as I do of absolute Princes. Wherefore leaving these things, and their application to your consideration, I turn my self to reflect on what I conceive you may reply.

Two things there are which I have heard alledged in your behalf with some appearance, but not much substance. First, that notwithstanding all this, Catholic Princes do live safely, and govern quietly, and therefore to conclude these doctrines are inconsistent with government, is to conclude that cannot be done, which we plainly see is done. Next, that while men are men there will be *quot capita tot sententiae*; that nature is not furnisht with means to confine the fancies of private men to the limits of strict reason; that these are problematical Questions which particular men dispute into probabilities, but for which the Church is not responsible, having never either defined, or otherwise ingaged her authority for them. To the first I reply that a certain King took poyson so long that it became food to him, and yet I think poyson for all that a very dangerous thing, and very inconsistent with health. The Princes you mention have Antidotes undoubtedly with which I am not acquainted; but let the Antidote

be



he never so good, poyson will be poyson still. And truly I think Sir *Thomas Moor* did honestly, when finding some passages in the book which *Henry the 8th.* writ against *Luther*, of which by the King's command he had the perusal, and in which he thought the Pope was complemented a little too far, he represented to the King that one day possibly they might fall out, as afterwards they did, and that then He might wish some things unsaid. While those Princes and the Pope continue friends, they need not much apprehend, and possibly are not much acquainted with what passes amongst Scholars, for they are sure enough that, for his own sake, He will not use his power against those who maintain his interest. It may be too with Princes as with other men, who to compass some end upon which they are passionately set at present, value not a mischief, much more considerable than the loss of their present pretences, which is farther off. If the Pope can assist either French or Spaniard, the Divines of that King whose part he takes may say any thing freely; and Statesmen who have little esteem of Schoolmen, will think the Pope sufficiently over-reacht, when for a few pleasing words they have got peradventure a Town or Province. So that your Princes seem to be alwayes playing with the Pope at *Polities*; in which game they think their steel to his quils advantage enough; though I should think the advantage is clearly on the Pope's side: for as he cannot make stakes, he hazards nothing; but if Trump ever turn of his suit he bids fair for all. *Defende me gladio, & ego te defendam calamo*; peradventure was no such unequal offer. Besides, they may possibly have the art to turn his credit to their advantage, and make use of it to keep their Subjects more obedient and more in awe. It may be they have some of them no better original Title to all, or part of their dominions than his Authority, and then a blind man may see what reason they have to uphold it. It may be these, it may be other reasons sway with them; but whatever they are or may be, I think 'tis plainly hatching a serpent in their bosoms. For let us suppose the Pope and a Catholic Prince at odds, a thing so far from impossible, that 'tis not unusual. 'Tis in his power, you'll say, to continue Catholic whether the Pope will or no; and then

He's

He's safe, for he gives the Pope no hold, it being only Heresie upon which he can fasten. But is this true, that nothing will do it but plain Heresie? Has not *Zecchini* taught us that the Pope may deprive Princes of their Kingdoms as oft as they do any great hurt in the Church? And will not the bad example of contrasting stubbornly with the supreme Pastor be interpreted a great hurt in the Church? Has not *Franciscus Bozius* informed us, that by reason of the supreme Monarchy in all things, temporal Laws may be made by the Church, and Kingdoms taken away for just causes? If we ask what these just causes are! *Santarellus* answers, That Princes may be punished and depos'd, not only for Heresie, but for other causes; for their faults, if it be expedient; if Ant. Sant. in Princes be negligent, if their persons be insufficient, if unuse- Her. Schif. A- ful. How few Princes are there who fall not under some of postaf. &c. these qualifications, or at least may not be judged to do so, c. 30. & 31. when the Pope, and He their Enemy, is to be Judge? As certainly it were a crime greater than the greatest of these, to seek the determination of these things from any else. This negligence, though, stumbles me a little, for it seems a general, and something a captious word; and I think it would be to the satisfaction of those who are concern'd, if it were defined as soon as might be, how many hours a day a King is to give audience, that he may not pass for negligent. But the man for my money is *Thomas Bozius*, who tells us plainly, That the Church the Spouse of Christ, and De Jure Stat. Queen of the world, may as often as the order of the whole l. 1. c. 6. p. 6. doth require, &c. transfer the proper rights of one to another, as a secular Prince may cast down private mens houses for the beautifying the City, or impose tribute for the weal public; That he may thus justly do, although he hath not erred from whom such rights are transferred to another; so the Pope gave the Indians to the Spaniards. 'Tis an honest fellow this *Bozius*, and cares not for mining matters. Give me the man that speaks out. But what think you, is Heresie the only unkinging crime, when you see any great harm; negligence, insufficiency, unusefulness will do it? When innocence it self is no security, and the best King of the world may be turn'd out of his Kingdom, and that justly, if another

ther be thought able to govern more handsomely? What handsome work will these Maxims one day make in the world, if they be suffered to take deep root? For my part I cannot see but Catholic Princes, as secure as you make them, are no less concern'd then Protestants to beware of them, and weed them up quickly and effectually. But is it so easie to scape the crime even of Heresie? I doubt not, and am filthily mistaken if this word Heresie have not as comprehensive a sense, and be not of a nature as plyable as Popery amongst us; and if managed with equal dexterity may not prove equally serviceable. The late King was the honour of Protestant Religion, and certainly had never a Subject more unmoveably fixt in it than himself: And yet malice made him pass for a Papist, at least inclin'd to Popery, do what he could, and by that imputation principally undid both him and the Kingdom. *Henry the third of France* was possibly as hearty a Catholic; yet all his industriously affected bigotteries, his great beads, and Friers weeds could never clear him from the stain of Heresie maliciously fixt upon him, till he fell with a fate different from that of our glorious King, in this, that his Kingdom suffer'd more no longer, his own end was more private, being execrably murdered by a private Paricide, whereas the barbarous injustice done to our King was heightened by the formalities of public justice. So that as far I see Heresie is as dangerous as Popery with us, and as hard to be avoided. But let us consider a little. *Sancius* has told us that it is to be held with a right Faith, that the Principality of the Bishop of *Rome* is the true and only immediate Principality of the whole World, &c. If this be right, the contrary sure is wrong Faith, and wrong Faith I think is Heresie. *Thomas Bozius*, who never fails, will tell us that *Christ committed to St. Peter (the Carrier of the keys of eterna' life) the right both of the Terrene and Celestial Empire, as Pope Nicholas saith; from whom we have it, that he is without doubt an Heretic who taketh away the rights of the Terrene and Celestial Empire, committed by Christ to the Church of Rome, and saith it is lawful so to do; and for that he shall be an Heretic in such his assertions. And Carrerius, that the Bishop of Rome is the highest Father and Man of the world,*

and

L. 4. c. 1. p. 319.

P. 152.

and the universal Vicar, and Lord of the world, and that all others depend upon him as their builder, and that otherwise if one should place the Emperor by himself in respect of his temporalities he should grant two beginnings, which were Heresie. In good Faith Sir, I cannot think otherwise, but if these men say true, your Catholic Princes, let them keep as fair as they will with the Pope, are all Heretics in their hearts. And then what follows? Hark what a Cardinal, and, which I grieve, an English man hath publisht to the World: The Canon Laws, says he, being authentical in the lawful Tribunals of the Christian World, do make all Heretics (not only after they be namely and particularly denounced, but by the Law itself ipso facto, as soon as they be Heretics, are de jure excommunicated for the same) to be depriv'd of their Dominions. Another tells us, The whole School of Divines and Canonists do hold, and that 'tis certain and of Faith, that any Christian Prince whatsoever, if he shall manifestly defect from the Catholic Religion, and endeavour to draw others from the same, does presently fall from all power and dignity by the very force of human and divine Law, and that also before any Sentence of the supreme Pastor or Judge denounced against him, and that his Subjects whatsoever are free from all Obligation of that Oath which they had taken for their Allegiance to him as their lawful Prince: and that they may, and ought (if they have forces) drive out such a man, as an Apostate, or Heretic, and a Backslider, from the Lord and Christ, and an enemy to the Commonwealth, from all Dominion over Christians, lest he infect others, or by his example or command avert others from the faith; and that this certain definite, and undoubted opinion of the best learned men is wholly agreeable and consonant to the Apostolical doctrine. Upon these grounds it was publickly maintain'd that Henry the third of France was lawfully murdered before any sentence of excommunication past against him, because, though in hidden crimes formalities be requir'd, yet evidens notitia facti sententia locum tenet, & non percipit formam publicus dolor. And that he had long liv'd as an excommunicate person de facto, though the law had not past sentence upon him, for favouring Heretics, for Simony, for entering into league with Hereticks ( the Queen of Eng-

Card. Allen  
against the  
execution of  
justice p. 87.

Philopater p.  
154.

de just. abdic.  
Hen. 3. l. 4. c. 2



land, and King of *Navar*) for seizing the goods of the Church without the Popes privy, and other offences against the *Bulla Cane*. Upon these grounds I have seen that execrable Villain *Chastel*, who attempted upon Henry the Fourth what *Ravillac* after performed, defended by a public Apology; and I see no attempt can be so barbarous and inhumane which may not be defended by them. So that, by your favour, your Catholic Princes are not secure; Quiet they may be, but never safe, and for their quietness they may thank the lucky conjuncture of those stars which have influence upon the times of their government, and restrain the malignity of these Doctrines; Otherwise if they be not very cunning in school subtilties, they may chance forfeit their Kingdoms, and all their power *per tricum de lege* without ever knowing when or how, live all their life time in the erroneous belief that they are very Kings, and those who obey them their very Subjects and be deceiv'd all the while. But be it as it will, this answer which would justify the innocence of these doctrines, by the security of Catholic Princes comes pitifully off; when instead of securing it takes them quite away, which is a fine kind of security; for it is plainly a much easier task to maintain by these doctrines that there is never a true Prince in the Christian world, no not in those whom you call Catholics, than it is to maintain the doctrines. And yet when all is done, tis nothing to purpose neither. For our Prince and People are of the number of those whom your Church takes for Heretics, and can expect no other treatment from you, than what you maintain belongs to Heresie. Wherefore however your Catholic Princes satisfy themselves, I neither see how he can be satisfied of the fidelity of such of his Subjects, as approve of these opinions, nor with what face they can pretend security and protection from him, Pray think of this, while I pass to what I put for a second answer, and what I have sometimes heard alledged.

These opinions, will you say, are moot-cases probably disputed amongst private men, in which the Church is neither engaged nor concerned. Pray God this Church be not as slippery a word as either *Heresie* or *Popery*. These men  
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who thus magnifie the Pope certainly are not of our Church: and I believe Presbyterians and Fanaticks of all sorts will disown them too, so that even for pitty, and not to make Infidels of them, you must needs take them into yours. But they who speak so kindly of the Pope need not fear disowning. We see they are both acknowledged and esteemed, and are all *Capita alta ferentes*. Now 'tis strange your Church should be unconcern'd in men whom you account Orthodox and learned, and whose books come out with the approbation, of those whom your Church commissionates for that purpose. Me-things the Act of her Officers, acting by her Authority, should be taken for the Act of the Church; Unless you will have the Pope pass for one of those careless Princes who deserve to be deposed for negligence, and be ignorant that his Officers abuse their trust, and licence unsound doctrines, and this at *Rome* it self, where a body would think sufficient care is taken that nothing pass which is not esteemed Orthodox. Bring me a Book printed at *Rome*, wherein the contrary doctrine is maintain'd, and I will acknowledge there is some sense in this answer. In the mean time let me give you a few instances, and those at home, by which it may appear the Pope is so far from ignorant and unconcern'd in these positions, that he approves and countenances them, and that both hotly and constantly.

In the reign of King *James*, upon the occasion of the execrable Powder Treason, the Oath of Allegiance was enacted by the pious wisdom of the Parliament, to secure his Majesty and Successors from the like attempts for the future. The Superior of the Catholic Clergy, at that time was one *Blackwell*. He, after much and long debate of the matter with his fellow Priests, at last resolved the Oath according to the plain and common sense of the words, might with a safe conscience be taken by the Catholics; and afterwards both took it himself, and, by his admonitions to Clergy and Laity recommended it to them as a thing both lawful and fitting. The greatest part of the Clergy, who repair'd to London upon that occasion, followed the resolution of their

Superior ; and had the Pope been either a little more ignorant, or a little more negligent, I think it had been better for you. But he was more vigilant than stood with your profit. Cardinal *Bellarmino* was then alive, and he writes a letter to *Blackwell*, perswading him to make amends for his fault, which he compares to the falls of *St. Peter* and *Marcellinus*, whereof one deny'd Christ, the other committed Idolatry. The Pope himself sends a Breve to the English Catholics, and forbids the Oath ; and when they remained yet unsatisfied, and made some exceptions of some wrong information, and the like, usual in such cases, justifies the first Breve by a second, and so utterly dashes the Oath, that ever since the generality of Catholics have refused it ; and those few, who continued constant in defence of the lawfulness of it, were look't upon little better than Apostates. The great maintainer of it *Withrington*, a learned and honest man, was so briskly prosecuted, that he was fain to take sanctuary in a Prison, and glad he scap't so. If after this these things must still pass for probabilities, probabilities are things in which I have been much mistaken ; for I thought a man had been at liberty to take which side he pleas'd ; but I see a man may as safely maintain Heresie, as that side of these probabilities which displeases the Pope. Neither can I see how the blame can be taken from him, and cast upon private men. For private men would have gon right enough, if He would have let them alone, and had not oversway'd them by his authority, and an authority so absolute and merely such, that neither He alledges, nor I could ever see any reason to conclude that Oath unlawful even in your own grounds.

In the year 47, when upon the interposing of the Army, under the command of the then *Sir Thomas Fairfax*, it was hoped the difference betwixt King and Parliament, and disorders of the Kingdom might have been compos'd, and Catholics comprehended in the general settlement, in case they could vindicate their principles from inconsistency with civil government. Three Propositions were fram'd by the Catholics to that purpose, importing that the Pope or Church

Church had no power to absolve from obedience to civil Government, or dispence with word or oath made to Heretics, or authorise any to injure other men upon pretence of their being excommunicated, &c. The Priests were consulted about the lawfulness of these Propositions. They met some of most orders amongst them, and all agreed they were lawful. The Laity rested in their judgment, and the most considerable of those who were at hand subscrib'd them. This was not very public, and at a pretty distance; and if it were known a body would think there was no great harm in it, unless it be made prejudicial to Christianity for men to live with their neighbours as honest men and good subjects should do. But they thought otherwise at *Rome*. The vigilant old Gentleman there, who must be pretended ignorant of what passes in *Italy* and at *Rome*, got an inkling, condemned, whether the proceedings or propositions I know not (for he was so wise as to keep his censure to himself, and never let it see light) and punisht such of the Actors as were willing to be punisht. I know of one, a principal one too, who was sent beyond sea, and there did penance in a house of his own Order for the grievous fault of having been honeste than the Pope would have had him, and I presume made good resolutions of amendment; and becoming a new man and a pious knave for the future: And I suppose the rest did the same, unless chance, or peradventure stubbornness excus'd them. Unhappy Catholicks! amongst whom 'tis punishable even to be honest. How truly has a learned man observ'd, that you have the choice of being thought either bad subjects at home, or bad Christians at *Rome*; But you must feed upon the fruit of your own wayes. In the mean time pray lay the blame of these things no more upon private men, when the Pope so manifestly and industriously takes it upon himself, and He may reserve you know what he pleases.

But take yet another instance, and that even at this time upon the Stage. Upon the restauration of his Sacred Majesty, the Catholic Irish Clergy hoping to obtain the effect of some agreements made in the time of the troubles which  
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the then Lord of *Ormond* the King's Lieutenant there, commissioned a certain person now living, and sent him over into *England* to solicit those pretensions in their behalf. And finding a profession of Allegiance necessary to their business, they framed one which they sent to their Procurator to be made use of in their names, and is now in every bodies hands, and generally known by the name of the *Irish Remonstrance*. This Profession not appearing sufficiently authentick, the Procurator causes a meeting of such of the *Irish Clergy* as were then at *London*, and informs them of the necessity of a general subscription to it. One Bishop, and three and twenty other very considerable men subscrib'd it, some seven or eight held back, professing yet the thing both Catholic as to the doctrine, and lawful as to the action; but asking what they should get by it? But the game being once a foot it was presently and hotly follow'd by the Popes Ministers, Cardinal *Francis Barbarin* at *Rome*, the Nuncio at *Paris*, and Internunce at *Bruxels* interpose with all concern imaginable. They speak, they write against it, pretend it condemn'd before hand by two Popes ( meaning the Brief of *Paulus V.* about the Oath of Allegiance, and the censure of the three Propositions by *Innocent X.* which never saw light ) and prevail with the Divines of *Louvain* to censure it. They countenance, they encourage, they promote the Dissenters, and brand the Subscribers with the odious names of Seditious, and Schismatic, and Heretic, and Apostate. One, and he a venerable man, was told to his face, He had better have died than subscribed. But the greatest bustle was about the Procurator himself. Him they set upon with all Arts they tempt him with fair offers, and the promise of very considerable preferments: That failing, they persecute him all they can; they make his Superiors ( for he is a Religious man ) cite and excommunicate him, all diffame him, and at last have brought things to that pass, that few believe him a Catholic, and those few keep their charitable thoughts to themselves for fear of being infected with the dangerous Contagion. So that so far as I can perceive, if the Subscribers were the honestest men, the

the Dissenters were the wiser. If these opinions must still pass for probable, about which Divines may busie themselves without interestting the Church, you have a strange and unintelligible way of government amongst you. Me thinks probabilities should have equal dealing, and Divines left to scuffle about them, as well as they can, without partiality on either side. So I think tis with your other Probabilities in the hot disputes betwixt the Jesuits and Dominicans, Scotists and Thomists and the rest. Let them beat the Pulpits as hard as they will, the Pope looks quietly on, lets them cool and take breath, and too't again, and this is fair play. But to depress one side, and cherish the other, and this vigorously and constantly, is something odd for probabilities. In the name of wonder are Schism and Heresie probable amongst you, into which one side of your probabilities alwayes runs? Or is it an approv'd custom amongst you to excommunicate for probabilities? In fine, say what you will, I cannot think otherwise but that these probabilities of yours are as improbable as any thing in the world. Then for your other pretence, that the Church all this while interposes not: either all words universally have conspir'd together to abuse us, and make us understand nothing, even of the plainest, or there is no fence in it. One would think that Church in Spirituals, is as state in Temporals. Now if two Princes fall out, and the King of *France* for example, assist the one with counsell, and forces, and the endeavours of his Ministers, we say usually, and I think pertinently, that the State of *France* is engaged on that side, and he who should deny it, would be thought deficient either in his language or his wits. For can a more pleasant paradox be invented, than that an Army marching by commission of the King of *France*, owning his orders, and He their actions, were all the while but a company of particular men in whose doings the King and State are unconcern'd? Now for King say Pope, and for State say Church, and where is the difference? Notwithstanding as I am not much acquainted with quirks, and fear the subtle *Distinguo*, and the *triccum de schola* as much

as the *triccum de lege*, I will not undertake but that amongst so many school Physicians as you have, some Logical plaister may be found out, which you may apply to this sore: But this I see that whatever effect a distinction may have in the Schools, it will do no manner of good in the world. For if the men of your Church persecute other men, they will be no less persecuted whether your Church do this as a Church, or under some other formality. The world is a material thing, and formalities alter not its settled course. Discredit, and want, and pain are material things, and when they fall upon a man, he will be ill at ease in spite of all the belief formalities can afford him: And if material Subjects rebell against a material King, and drive him out of his material Kingdom, I think it matters not much what formalities there were in the case. I suppose he will be little the better by learning his Subjects did not act as Subjects, nor treat him as a King, and his new acquaintance with those subtle empty forms I fear will yield him small comfort. If your formalities can preserve or restore Kingdoms, if they can make honest men of Traitors, if they can restore the credit of private men, and relieve their wants, and ease their distresses, I shall acknowledge they are worth hearkning after: But if they can do none of these things, the Schools that invented them, had even best keep them to themselves, and much good may they do them. The world has neither need nor use of them, for real mischiefs are not cur'd by verbal distinctions. We complain that the material Governor of your Church arrogates to himself a power dangerous to Princes, and that the material men of your Church maintain him in it, and both together hotly prosecute All who are not as hot as themselves. Tell not me the Church indeed does this, but not as a Church; for as a Church, or not as a Church, she does it; and if the mischief be done, what matter is it how? *Withrington* ended his uncomfortable dayes in prison; *Walsh* is in a fair way to the same preferment: Thousands of people were ruin'd, thousands destroy'd in *Italy* and *Germany* upon the contests betwixt the

the Pope and Emperor, in *France* upon the Holy League, and what happened in those places may happen every where. 'Tis a remedy for these mischiefs which I look after, and security that they shall not one day happen here, nor the formality by which they were done: For in fine a formal plaister to a material wound, is but good words to him who is hungry. We had our formalities too, and our distinctions in the late war, and heard enough of the politic capacity, and the personal capacity; but they neither abated any thing of the publick misery, nor the deserv'd punishment inflicted on the witty Authors. Our Pagan Juries found them guilty for all their acuteness, and their sophistry had no effect with the illiterate Hangman and undistinguishing Halter. We had the formalities of Justice to boot, but they serv'd for nothing but to render a fact execrable in it self more barbarous and more inhumane. You may have more and other formalities, but after all they will be but formalities, and not a jot more useful than ours. You shall permit me to conclude with a *Dilemma*, which I would recommend to your serious thoughts. Either your Church is engag'd in these Positions, or she is not; if she be, she is unexcusable for holding them; if not you are unexcusable for not renouncing them, when without injury to her authority or your own consciences you may.

I would gladly receive an answer to this Paper, or rather a return, for I do not think any answer can be made. However I entreat you by all our friendship to let me know what you can say. Having found you both rational and ingenious in other points, you must needs satisfy the curiosity I have to know whether you will disclaim your Church or your reason: for certainly you must make bold with one, and the best I suppose will be but a bad choice. As you are all brought up in a wonderful reverence to your Church, I know it will be hard for you to acknowledge any thing amiss in Her; and yet on the other side I think it will go against the hair of your temper to part with your reason, and, that you may be thought a good Son of your Church,



be content to be thought no good man, as certainly he is not, whose actions are not warranted by his reason. Pray think not a he worse of my friendship than I put you to so hard a choice. Reason is the measure of friendship as of other virtues, and we cannot sin against friendship by acting according to reason. Besides, Friend, you live in Communion disapproved by Law, and unmaintainable by Reason; and I think 'tis the part of a friend to tell you so. Wherefore once again pray think not the worse of me, and be assured that whatever you think I truly am

*Your Faithful Friend and Servant.*

S I R,

I Received your long Letter, with the obligation you lay upon me to answer it, and heartily wish you had made use of the power you have over me in some other occasion. This subject is a kind of Candle to Flyes, with which if they happen to play, they have great luck if they do not burn their wings. You are at your ease, and may freely talk at pleasure, secur'd by the Laws, and at defiance with the Pope. The case is otherwise with us, who believing of the Pope as we do, and subject to the Laws as we are, can neither be without respect for him, nor apprehension of them, and though we could speak even clearness at self, 'tis all to nothing but we fall foul on one of the Rocks. Notwithstanding, since I ow much to your friendship, I would gladly preserve, if I can, your good opinion both to my self, and Religion, of which you speak so charitably, and nothing like an enemy, and besides, would not be guilty of her shame by confessing she has nothing to answer, nor of my own by continuing in an unjustifiable communion. I obey you with this request, that you will take care to preserve me from the hazard I run by serving you, and let this Paper be seen by none but such as mean as well as you and I. First then I am so far from thinking our friendship shockt by your free proceeding, that I take my self and Religion both oblig'd to your candor, and wish from my heart I may as well justify her, as you have your friendship. And for my Church, there are so few who look upon her with equal eyes, that this pity of yours, as just and charitable as it is, is yet more rare, and I cannot see it without as much acknowledgment as satisfaction. And yet, as strongly as you discourage every where, I think you have reason no where more than in this particular. For so it is: if we say nothing, and when we are often and loudly provok'd to speak, still hold our tongues, we have a bad cause, and such for which nothing can be said; if we speak, we are insolent, and cannot keep our selves quiet when we are well. And after all, 'tis the Combat betwixt the Knight and the Giant still, as you have rightly observed. But the world is the world, where Reason, as much

our nature as it is, cannot hinder, but Chance, and Interest, and Passion, and several humours to which men are subject will have their share in the conduct of things. Wherefore without complaining farther of what complaints are not likely to remedy, I think it best to address my self to my defence.

And the first point of it shall be to declare I mean not to defend any of those opinions which you have alledged with so much sharpness, for in truth I think them not defensible; and that there is not more sharpness than justice in what you say. Nor but that to own, who would take the pains to peruse the Authors you have cited, some of those Sayings possibly might not appear so ugly as they do in your Paper. For there is a great difference betwixt words taken as they lie in the whole Context, and singled out from their fellows, who might peradventure to some of them afford some tolerable explication. But besides that I conceive that labour not necessary for my purpose, I have no kindness at all for the Doctrines, and not enough for the Authors to prevail with me to undertake it. I have heard from those who meddle with Controversie, that their greatest difficulty often is to preserve the credit of private men, whom, because they are of the same Communion, they are so unwilling to affront, that they have much ado to preserve the Church from the contagion of their Errors. As my nature is a little more blunt, I have no such difference for them, and think it but just, that *Qui pergit qua vult dicere, ea qua non vult audiat*. Let them shift for themselves on Gods name, or let those defend them who approve their Maximes. For my part I hate them heartily, and think it but a preposterous Charity to be so tender for the credit of those who betray the credit of the Church. Allowing then for reason all you say against those opinions, of which I think as ill as you can do, I yet conceive your reason fails in the inference you draw from them. That true Religion cannot teach Doctrines inconsistent with Government; That a Commonwealth is not safe in which such Doctrines are either tolerated or conniv'd at; (that is, when they come to be infilled and get credit with the People, otherwise while they remain in the Schools, I should think the danger not very great, for Kingdoms are not overturn'd by Syllogisms.) Farther if you please, that the Doctrines you have produced are.

are such Doctrines, I freely grant you: But that our Church does teach such Doctrines I deny, and notwithstanding all you have said, if you still preserve your unbiass'd candor, hope to make the contrary very evident.

And first, because with you I think my authority may signify something, for you know I will not tell you a lye, you shall permit me to say something of my own knowledge. I was born you know of Catholic Parents, bred up in Catholic Religion, and have lived some part of my time in Catholic Countries. I have been at their Schools, heard their Catechisms, their Sermons, their Discourses; and by the care of my Friends, and some pains of my own, think few of my condition more fully instructed in that Religion. I assure you faithfully I was never taught any such Doctrine, nor ever heard the Church taught it. On the contrary, I have been bred up in this belief, that obedience to my King is not only truly a duty, but, a duty truly required by Religion, and this persuasion was so well settled in my heart, that I yet remember how great and surprising a horror the late Rebellion caused in me, when I was too young to judge otherwise of it, or any thing else, but as I found it contrary to the sentiments which had been instilled into me. I have heard indeed of the opinions you cite, but as of extravagancies of bold men, and when I came to the age of judging of things my self, found, that though they were held by men living in Communion with the Church, they had yet no warrant from the Church to hold them, nor any better ground than their own mistaking reasonings, and so continued to detest them by judgment as I did before by Education. Now this answer, which it seems you foresaw, you have endeavoured to prevent, making use your self of an Artifice of Rhetoric, to bar me the assistance of Logic; for you would persuade me, that to distinguish the material Church from the formal, or the man from the Churchman, is an idle airy nicety, which is of no use in the World. But truly one of us is much mistaken, for I think on the contrary, that nothing is more obvious, nothing more familiar, let me add, nor more necessary, and that even to your material world as you call it, which without such distinctions would quickly run into confusion. The World is made up of men, and men of several qualities. The same person is both a man, and a Rich and Proud man, a Powerful and an Angry.



Angry man, and we see Wit and Ambition, Goodness and Ignorance, Learning and Fanaticism often coupled together, and a hundred several mixtures of several qualities united all in one material Man. Now consider what fine work there would quickly be, if every one of these useless formalities, as you call them, must be chargeable with all actions; if Riches must be taken away because the Rich Proud man has *scorn'd*, and Power because the Powerful Angry man has *wrong'd* his Neighbour: if Wit must bear the blame of Ambition, and Goodness the miscarriages of Ignorance, and Learning the Errors of Fantasticalness. Reason is our very Nature, and yet I think there are few to whom Nature has not given Logick enough to see that we do not always act as reasonable, and who are not learned enough to separate the Animal from the Man. To speak yet plainer, a severe Father, a harsh Master, do they not sometimes use their Children and Scholars unreasonably, and so as utterly to spoil them? A corrupt Judge, does he not pervert Justice, and render those Tribunals, from whence men expect the relief of Injuries, the seats of Oppression? What then? Must the Father, and the Master, and the Judge be condemned for the faults of the Man, and none of these powers left in the world because they have been, and daily are abused? I think you and every body will confess that this were unreasonable, and yet your Argument spares none of them. For 'tis all one to Children and Pleaders, if they be materially oppress'd and misus'd, whether this be done by the fault of the Office or the Officer; and small comfort it is to tell them that their Judges and Masters acted in their case as passionate men, not as Judges and Masters, for they remain oppress'd still; and the formality relieves them not. Kings themselves are men too, and not exempt from the failings of Mortality. Our Country indeed had this, amongst other things to thank God for, that she has been extraordinarily blest with good Kings; but History affords examples of such elsewhere, as have been unjust, and cruel, and tyrannical; And if you will not allow the King and his sacred Function to be free from the aspersions to which the Man is sometimes liable; let me tell you, Friend, your Doctrine will be more dangerous and more inconsistent with Government than the Papal pretensions. Now as in all these cases, and a hundred more which happen every day, and every where Nature,

cure teaches us to examine the formality from whence the mischief proceeds, and endeavour to provide against that, and let the rest alone; so I think it ought to be in the case of the Church. We condemn not Learning, because some learned men are fantastical, nor Riches for the pride of rich men, why must the Church be condemned for the fault of Church-men? Authority and Goodness, and Wit are not blemish'd by the errors of those who have them; the Power of Fathers, and Masters, and Judges is, and must be preserved in the world, however Severity and Covetise daily abuse it: and if this be so in all the rest of the world, can you think it reasonable the Church alone should be exempted from the general rule, and be more answerable for the faults of those who live in her communion, than Authority for the faults of bad men in Authority? The faults indeed should be taken away, but the Church let alone. And truly had your Reformation as you call it, gone no farther than to retrench abuses, such as these you mention (and who knows but there may be other?) I might peradventure have call'd it so too: But instead of abuses to take away Office and all, and desie the supreme Pastor of the Church, and alter the whole face of Religion, thereby your favour you reformed a little too far. For the same Logic which makes the Church responsible for the errors of Church-men, makes the Office responsible for the faults of the Officer, and that is to take all Offices out of the world, where men will be men, and liable to be reduced from the path of vertue in spite of all preventions possible in such a nature as ours. I hope by this time that distinction does not appear so airy, and useles as you imagined: you shall permit me to add, that possibly you are no less concern'd in it than We. For we are not the only men, amongst whom Principles inconsistent with Government may be found. Remember who they were that ruin'd *England* by the late War, and were guilty of things, which to dilate were as unfavoury as needles. They were so far from Popery these men, that fear of Popery was a chief Engine employed in the mischief. Sad fate, by the way, and preposterous wisdom! to destroy our selves for fear of being destroyed, and run into Fire and the Sword for fear of Ink and Paper. Neither is *England* the only example; *Scotland*, and the *Netherlands*, and *Germany*, and *France* have felt lamentable

lamentable effects from the Doctrines of men who would take  
 it for an imputation to have learnt anything of the Pope. So  
 that it is very plain, that the Papal is neither the only, nor the  
 only dangerous King-deposing power in the world. 'Tis as  
 plain that these men are neither Infidels, nor of our Church; so  
 that you must even exercise your Pity too, and take them into  
 yours. Or if pity will not prevail, I hope at least you will take  
 care so to defend your Allegiance; as not to overthrow your  
 Church; And unless you make your Creed consist but of  
 Eleven Articles, I see not how you can disown the Communi-  
 on of these men; for it will be a strange Catholic Church which  
 communicates hither with the Church of Rome, nor her Ad-  
 versaries. Wherefore if your Argument be good, and Religion  
 must answer for the fautes of those who profess it, there is no  
 remedy, but Princes to be secure must banish all Religion; and  
 People turn Atheists to be honest men and good Subjects. Now  
 whatever answer you would give to one who should charge  
 such wicked principles upon your Church, because they are  
 maintained by numerous, and learned, and famous men amongst  
 you, the same I give for mine: I believe for all your Pique to  
 formalities, you would go near to distinguish your Church, or  
 Believing men from the Erring men, and say you communicate  
 with the Men but not with the Errors: So you shall permit me  
 to say for mine, and this farther, that whatever you say, you  
 must of necessity either condemn your selves, or absolve us.  
 'Tis not that the force of your Argument drives me to that  
 way of answer which I have chosen; it being easie to shew the  
 Churches innocence even in your own way; and without the  
 help of your disliked formalities. Your Argument in short is  
 this: Learned men in the Church hold wicked Doctrines, there-  
 fore the Church holds them; and that Argument be good, this  
 likewise of necessity must be good: Learned men in the Church  
 hold those Doctrines false and wicked; therefore the Church  
 does so too, for the same authority cannot but have the same  
 force either way; and the Deniers have as much power to re-  
 move the imputation from the Church, as the affirmers to fix it  
 upon her. You have cited, if not all, yet, the most considera-  
 ble of those who maintain them, and they make some ten or  
 twelve. 'Tis pretty odd that the judgment of ten or twelve men  
 must

must needs be taken for the judgment of the Church: But let that pass; by the same rule, the judgment of ten or twelve of the contrary must conclude the judgment of the Church for the contrary. Wherefore if I produce as many and as famous men for the Negative, as you have done for the affirmative, 'tis without more a do a drawn match, and nothing being proved either way the Church is absolved by the Law of nature, by which every one is innocent who is not proved nocent. But what will become of your Argument if for one of your side I produce two, if ten, peradventure twenty on the contrary? Either you must confess the Argument has no force, or the Church innocence efficaciously proved by it, unless peradventure you can find some subtle formalities by which you will maintain your single man is stronger than my ten or twenty. Now all this is not only possible, but already done to my hand by *Caron* the learned defender of the Irish Remonstrance, who in his *Loyalty asserted*, what betwixt Canonists and Divines, Schoolmen and Fathers, Popes, Councils, Universitie:, Kingdoms, &c. has made a Catalogue of more than two hundred and fifty Defenders of the contrary Doctrine. You see then I had no necessity of flying to Formalities to answer your Argument: For by your own Rule and Method the Church is proved not to hold the Doctrines you mention, and not only so, but plainly to hold the contrary; nothing being more unreasonable in the world than to give it with the ten against the two hundred; or to think that ten is a sufficient number to engage the Church one way, and two hundred not sufficient to engage her the other. But looking a little nearer unto it, me thinks it is of kin to *Boccalin's* Age, paraged four fingers thick with appearances. Strip off the gay Jacket of pretty smartness in which you have dressed it, and there will remain as little substance, and less soundness. Learned men, say you, say such things, therefore the Church says them. What if you be as much mistaken in your Antecedent as Inference, and that they prove not learned who say them? Words, you know, are slippery things and you have well exemplified in divers. I fear this term, Learned men, and Learning, is no less slippery, nor less abused than those which are most so. But not to be too severe, a Divine is a Learned Man, can he therefore prescribe Physic? The Metaphysician, the Natural, the Moral



Philosopher, the Mathematician, the Physician, the Lawyer, are all esteemed learned men, but their learning is confin'd every one to his proper profession; out of that, their authority is of no moment, and they may with all their learning be very ignorant in matters which belong not to them. Now consider a little. The men whom you have cited are, excepting one or two, all Canonists, and esteemed able men in that profession, but every one knows their profession consists in declaring what the meaning of the law is, and what the intention of the Law-maker, and if they go beyond this, they exceed the bounds of their profession. Our Question now, whether the Pope have, or have not, such a power, to what skill does it belong? To the Law? Plainly nothing less. What the Pope has Commanded, and what he meant by the words in which he has express his commands, is as far as the Lawyer can go; but what power he has to command, and how far that reaches, is quite out of his Sphere. If I mistake not, for 'tis a study in which I have no skill, the power of the Lawmaker is a Principle supposed, not proved in the Law; for if a Lawyer go about to prove it, keeping without the limits of his own Art, he argues *a posteriori*; thus, He has commanded, such and such things, therefore he has power to command them. And this is a proper, and good law proof, where the first Maxim is, that the Law is just, and the power of the Law-maker still supposed. If the Lawyer venture upon other proof, he intrenches upon anothers skill, in which possibly he may be very ignorant. And he that will not be satisfied with this, nor admit his other Maxim, *Lex non facit injuriam*, but excepts against Law and Power; and all, has no remedy but to seek satisfaction elsewhere. In fine, what the Pope claims from Christ, belongs to the Divine; what from Reason and the force of Nature to the Philosopher: only what he claims to the agreement of men belongs to the Lawyer, and in this he ought to be heard. In other things he is *Sutor ultra crepidam*. Your discourse therefore, which appears so trim and gay in the dress you have given it, has no more strength than the authority of a few men in a matter wherein they have no authority, and if they had, is overpowered by a greater, and this methinks you need not have thought so unanswerable.

Were

Were you now an Adversary with whom I should think fit to use the Right establish'd by the Laws of disputation, I should say no more; for an Answerer has fully discharged his part, who has shewn his Opponents Argument concluding. But since we are Friends, and write, not to convince, but inform one another, I shall return to my old way, which I take to be the way of Nature, and endeavour to shew you more minutely how unreasonable it is the Church should be charged with those errors. Church signifies a Congregation of Faithful, and Faithful Men who have Faith. And since Men, cannot be without Reason, nor Reason without working in them, 'tis unavoidable that besides the persuasions lodg'd in them by Faith, men will have others which proceed from their Reasons; to say nothing of Passion, and the Animal Nature: which has its efficacy upon the Faithful as well as all the rest of mankind. Now as in the rest of the actions of men, Nature forces us to look into the Principles from whence they proceed, and attribute every one to his proper cause, which if we did not, all would presently turn into confusion: So we must here, and consider in the actions of the Faithful. Whether they act as Faithful, or as Men. And those Actions which proceed, not from Faith, but Reason or Passion, are no more to be charg'd upon the Church, than the Covetise, or Cruelty, or whatever faults of men in office upon their Offices. And in all this there is so little subtilty, that every body does the like almost in every occasion. There remains only to examine upon what Principle those who assert these errors proceed, whether upon Faith, or some other: Faith is a reliance upon some Authority, and in our case, the Authority of Christ, who alone is acknowledged the Author and Revealer of all which we are to believe. Wherefore of any point in question, it must either be pretended that it was revealed by Christ or it cannot be pretended that it belongs to Faith; and if any maintain it upon other grounds, so far he acts, not as a believer, but as otherwise qualified. Now there are in the world two principal ways, by which claim is made to the Authority of Christ; for that which we maintain is Faith, and that wherein we do not engage his Authority, neither of us say is Faith, or that they act as faithful, who upon reason, or experiment, for example, maintain any thing. The World hopes from the

learned industry of the Royal Society the sight of many truths yet hidden from her : but all their endeavours can never make Faith of them, nor concern your Church in them, as considerable members of it as some of them are. For they go not your Church-way of Faith ; They look, not into Scripture, but Experiments, and act as Learned, not as Church-men. What they shall discover to the World will be revealed not by Christ, but by them ; and if any believe them, they will have no Christian, but Society-Faith. Such is the case of our Church, Tradition in her known method, by which she pretends to the Authority of Christ. If any will run upon their own heads, and discourse and maintain things, and never look into her Rule ; She can be no more concerned in their proceedings than the Church of *England* in those of *Gresham Colledge*. For since Faith is that by which she is a Church, and Tradition that by which she comes to Faith, people must engage Faith if they will engage the Church, and Tradition if they will engage her Faith. Wherefore whoever goes about to prove any thing otherwise than by Tradition, uses not the method to come to Faith I mean, the method approved by our Church, and this conclusion, whether true or false, neither reaches Faith, nor aims at it, and by consequence cannot belong to the Church or Congregation of the Faithful. Now reflect a little upon your Authors, and see if they go this way to work, and the first thing is the consent of the present Age ; for Tradition signifying the consent of all Ages, 'tis a madness to pretend it for that which is not believed so much as by the present. Do they, or can they even offer at this while they see themselves contradicted, by men as learned, and far more numerous ? While all the Universities of a great Kingdom disapprove and condemn their Doctrine, and their Books are burnt in the face of the World by public Justice, and the men who do this acknowledged good Catholics all the while ? Do they, or can they pretend the consent of former Ages, while they know all Antiquity agrees, that for many Ages Popes were so Supreme in Spirituals, that in Temporals they were Subjects ? Such they acknowledged themselves, and as such the Emperours treated them. When and how, and upon what occasion they came to be temporal Princes is known to all who are, knowing in History : A condition, by the way, which he

who

who envies them, little understands, or little loves the good of the Church, with which 'twas much worse when Popes were hindred from doing their duty by the unjust violence and oppression of powerful men amongst whom they lived. Do they alledg the undoubted Testimonies of the Fathers of the Church assembled in a general Council? Nothing of this appears in what you have produced. The men themselves are most of yesterday, All, many Ages since Christ; and there needs no second Argument to prove any thing that it is not Faith, if it can be proved that it began in any Age since the first, as these opinions plainly did. But consider their Arguments. They are either grounded upon some odd interpretation of Scripture, as the order of *Melchisedech*, the two Swords, *St Peters* walking on the water, and the like; or else upon some deduction and reasoning as weak as the water which they mention. And this method though *per im, possibile*, it could prove the thing true, yet could never prove it to be Faith. There are many things in the world which are so acknowledged to be true, that they are withall acknowledged not to be Faith. Was it taught by Christ; Was it believed by Christians, *Semper, & ubique, & ab omnibus*? Till this appear, it neither is, nor can be Catholic Faith: But that which I insist upon is, that this method is plainly resolved into Reason, and can no more engage the Church of *Rome*, than the experimental learning of the Royal Society the Church of *England*. The Authors you produce rely not upon the Authority of Christ, testified by an uninterrupted conveyance down to us, but upon the strength of their own discourses, which if they be weak and fail, the Church never undertook that all in her Communion should discourse strongly; Neither can she herself do more then testify of the truths delivered to her, and they are such, and were so delivered. This testimony is all which can be expected from her as a Church, (speaking of what concerns us to speak of; her power to make Ecclesiastical Laws, and the like, are no part of our case.) if she fail in this, and either testify that to be delivered which was not so, or suppress any thing which was delivered blame her; but for this, that some Members in her Communion have weak Reasons, or strong Passions, if you blame her, consider the confusion you will bring into the World, which I have.



have so much dilated before, that to repeat it would be tedious here.

But will you have a taste of the Churches sense of these things? Consider the Hymn made in the first Ages of the Church, inserted since by public Authority into her solemn Office, received by all the Faithful, and used on the Feast of the Epiphany: *Non eripit mortalia qui Regnat cœlestia.* Can the Church, which prays thus, be thought to favour the deposing power? Or can her sense appear more plainly, than in the consent of an universal practice? But let us look upon her in a Council. Wickliff amongst other errors had advanced this Proposition: *Populares, &c. The people may at their pleasure correct their offending Lords,* And this amongst the rest was condemned by the Council of Constance. To the same Council was offered another Article worded in this manner: *Quilibet Tyrannus, &c. Every Tyrant may and ought lawfully and meritoriously be killed by any of his Vassals or Subjects, even by secret plots and subtle insinuations or flatteries, notwithstanding any Oath or League made with him, nor expecting the Sentence or command of any Judge whatsoever.* This they condemned too, and hear if you please in what terms: *The Holy Synod, desirous to rise up against this Error, and to take it wholly away, declares and defines this Doctrine to be erroneous in Faith and Manners, and rejects and condemns it as Heretical, Scandalous, and giving way to Frauds, Deceits, and Lies, Treasons, and Perjuries; Moreover it declares, and decrees that those who pertinaciously assert this most pernicious Doctrine are Heretics, and as such to be punished, according to the Canonical Decrees.* Behold the most exorbitant of your Doctrines directly and authentically condemned: And though I am not ignorant that some of them may find in the expressions as they lie in the Council, wherewith to evade her Censure, yet I conceive her sense so clear, that those evasions can appear no better than evasions. For 'tis a plain case, She takes Duty to Princes to be a direct point of Faith, since she condemns the contrary of Heresie; and since she allows nor even Tyrants to be kill'd, I conceive she declares plainly enough against the deposing power, whose chief ground is, that deposed Princes are no longer Princes but Tyrants; for without doubt of all sorts of Tyrants, those are the least such, and have most

con. const.  
Sess. 8.

Sess. 15.

most title to the protection of the Council. (I beseech you mistake me not, as if I thought my self, such Princes indeed were Tyrants, but I speak in the Language of those who think so, and I maintain they are Condemned by the Council, even though their impossible ground were supposed true.) And if her expressions are not so direct and formal as to avoid all cavill; The reason is obvious: Councils do not make Propositions to be condemned, but condemn such condemnable ones as they find made to their hands. She condemned that Doctrine in the terms in which it was proposed to her, and by her carriage shews what it is to expect from the Church in whatever terms it be proposed. People may talk at random in the Schools, where 'tis posterously thought a piece of learning to be able in the morning to defend one thing, and in the afternoon the quite contrary: but let these men and their learning appear in a Council, and they will go near to be askt, since they know that to give obedience *Præpositis etiam discipulis*, and that not only for fear, but for *Conscience*, was taught by the first Masters of Christianity, and evidently believed, and practised ever since, and *ab omnibus*, and *ubique*, and *semper*, by what warrant they bring in an exception to a Rule established by Christ, and tell us 'tis to be understood if the Pope command not the contrary? They will be urged to produce their authority for this exception of theirs, to name the Father, that taught it, and Children that believed it: to make out its Universality both in Time and Place; and if they can do none of all this, as plainly they cannot, 'tis well if they scape the censure of Heresie themselves, who are so forward to fix it upon others. Subtilties, and the knack of talking, and the opinion of learning will avail them little where the constant Rule is *Tradition*, and *not delivered*, and *not to be believed* is all one. But I go too far, it being neither my business nor intention to dispute the Question. Thus much, when I was once in, I could not chuse but say, and I cannot but add, that if the contrary to your doctrine be not sufficiently defined already, it may be when Princes please, and in such terms as they please, when ever they think fit to use their interest for the calling of another General Council. In the mean time I conceive there is never a King in Christendom, who has not credit enough with the Clergy of his own Dominions, to cause them to condemn those

those opinions. All the Universities of *France* have done it already, and I presume no Catholic Church-men, if they were required by their Prince would refuse to follow their example. Mean time what belongs to me is, that those opinions are not Doctrines of the Church, since they do not so much as pretend to the only Rule by which the judges of Doctrines, and their only grounds are private deductions of private men, with which if the Church should be charged, and Faith made responsible for the miscarriages of Reason, it would be an injustice whose consequence would quite invert the order of the World, and leave neither Church, nor Prince, nor Magistrate, nor Policy, nor Oeconomy on Earth.

But if this be so, how come so many men esteemed learned to assert such extravagances, the Pope to allow them, private men to endure them? I answer, how can it be otherwise, while men are men, and the World the World? Popes are men, and have long time both been, and lived in the State and splendor of Princes. Can it be thought strange, if Flatterie have found access to a Court, and amongst so many, if some have given ear to it? They are generally very good men, but of late better versed in Politics, than Divinity. For the most part they are well skilled in the Law, especially the Canon, an useful knowledge for Church Government, but for Divinity they use or relie on others. And if men who pass for able Scholars, and great Divines flatter them with an addition and power, and tell them it truly belongs to them, and that they can and will maintain it; Can you, who think Miracles are ceased, wonder they should be content it be thought true? They see many who oppose it, are their profest enemies, and if it be perpetually inculcated to them, that the rest have got a tang of that enmity by conversing with them, how can it be but they will be perswaded of it at last? Wee see the often repetition, even of known lies, cheers the teller at last into a belief of them. And if once they come to be perswaded the thing is true, it were wonder they should not discountenance those who oppose it, and cherish those who maintain it. Then if one Pope declare any way, the rest will all go on the same road, unless some very extraordinary action stop their journey. They understand the Art of Governing very well, and see that if one Pope should undoe what his

Predecessor

Predecessor has done things would soon fall into disorder. So that they are slow, but very tenacious in their resolves, and 'tis the hardest thing in the world to get them to alter their course. And all this is so far from strange, that it were strange it should be otherwise. Then for learned men; consider how much Ecclesiastical Promotions depend upon the Pope, and what plenty of means he has to gratify all who appear for his interest. While one hopes for a Canonry, another a Bishopric, another has the dazzling purple glittering in his eyes; They will all be apt to say what they think will please him in whose power it is to satisfy them all. And as the Schools go now it is not hard to say almost any thing. As men are of several tempers, I will not deny but some may be truly perswaded of your Doctrines and defend them with an upright conscience, thinking that to exalt the Pope is truly advantageous to Religion, and beneficial to the World: But I believe you will not find many so qualified. Those you have named, are some the Popes own Subjects, most Italians or Spaniards, upon whom He is known to have particular influence, and if we judge that in this exalting the Pope, they might have an eye to the preferment of themselves, I think it will be no rash judgment. Of later times those have appeared the chief sticklers in this quarrel, who are thought to have the greatest dependance upon *Rome*. So that of all produced and produceable in behalf of those opinions, I deceive my self if the number be not shamefully inconsiderable, against whom there lies nor a just suspicion of interest, and of whom it may not reasonably be judged that Hopes or Fears, or something besides pure Conscience swayed their judgments: And Interest, you know, is a just exception against a Witness in all Courts. As for private men, what would you have them do? Consider that all Catholics look upon the Pope as the chief Bishop in God's Church, and supreme Pastor of the whole Flock. If they hear any thing said over-lashingly of him, can it be expected they should be forward to speak what they think, til a due occasion urges them? Or have less respect for him, than common civillie uses to every Body? For when any thing is said advantageous to a person with whom we converse, if we believe it not, we keep our thoughts to our selves, and think it rudeness to oppose it to their faces. Besides,



as I said at first, this meddling of private men with the concern of Princes, is the Flies playing with the Candle. *Wishington* quite burnt his wings; *Walsh* has fairly sing'd them; and if people learn wariness by the harms of other men, I conceive they are not blameable. As frightful and threatening as the Idea is, which you have made of this danger, no Prince, that I know, thinks it great enough to deserve that they should interpose, and I think the man very foolishly wise who will pretend to understand their concerns better than themselves, or better know what is fit to be done. People of our private Sphere, see but one thing; Princes see that one thing in likelihood better than we, and a hundred more of which we never dream, and till they stir themselves, for private men to obtrude their politic Ignorance upon them is so far from laudable, that it is well if it be pardonable; neither will their forwardness signify more than an over busie diligence, and peradventure saucy unquietness. The old Monks wise counsel, *Sinere res valere, ut vadunt*, is as necessary in the world as a Cloyster. Besides, for English Catholics in particular, they have somewhat more reason to keep silence, while their speaking is sure to be discountenanced on the one side, and not sure to be protected on the other. You may perceive by *Caron's* Collection that Catholicks are, so much mealy mouthed men towards the Pope when there is fit occasion to speak what they think, and God forbid that Forreiners should be better Subjects than English men. I am sure they were Catholics who declared in Parliament, that the imperial Crown of *England* is, and, at all times, has been free from all subjection to the Pope. And provided the Statute of *Pramunire* against such abuses as were then found inconvenient. And they were Catholicks who refused to repeal this Statute in the days of *Queen Mary*, when other Laws made against the Popes Authority were taken away. But if you will have a touchstone of the fidelity of English Catholics, look a little upon the year 88. The Pope had stretched his Authority as far as it would go, and proceeded to Excommunication, Deposition and Absolution of his Subjects from Obedience to her, down right Commands to assist her Enemies; and this Authority was backt by the Power of a great Prince, in their thought and language, invincible. Besides, the Title of the Queen



Queen born in time of a Marriage declared lawfull by the Pope, was not free from dispute, which carried the inclination of Catholics to the Title of *Scotland*, since happily introduced, and which I hope will long happily continue; and this was, if I mistake not, the true reason of the jealousy and severity of those times against them. Notwithstanding the unusual concurrence of so many and so great temptations, They stood firm in their Allegiance; and both our own and forreign Writers testifie, that neither the subtil Arts of the Politic Spaniard, or the enforcement of the Popes Authority could prevail to make any Party here; but that the most learned and esteemed of the Priests, by a solemn and authentic Writing, acknowledged the Queen, notwithstanding she was excommunicated and deposed by name, to have still the same Authority and power as before, and as much as any of her Predecessors; and the Layry chearfully and universally offered to hazard their lives in defence of their Prince and Country, and that as private Souldiers, ther being too much suspicion in the jealousy of those times to pretend to commands. In fine the Spaniards were so ill satisfied with them that the Duke of *Medina*, Admiral in that expedition; at his return, plainly told the Dutcheffs of *Feria*, an English Woman of the Family of the *Dormirs*, that had he prevailed, no difference had been made betwixt Catholics and others more than what the Sword could have found. Of later times the whole Nation is obliged to bless God for the happy fidelity of some of them, and we had still been groaning under our late miseries, if this traiterous Religion had not principled, even poor men into a fidelity stronger than the temptation of Gold. And tis not like the men, who act thus, would refuse to speak in fit occasion. Things have been written, even since the return of his Sacred Majesty which have been peradventure more zealous than reasonable, but however which sufficiently discover the inclination of Catholics to say all that can be expected with reason from them, when the conjuncture is proper. In the mean time to consider the Dilemma you so earnestly recommend to me, I must tell you it concludes not. We are inexcusable, say you, if we renounce not those Positions, when without injury to the Churches Authority, or our own conscience we may. Why so *FA!* is there no excuse for an action but this, that tis unlawful? People

before they do any thing use to consider the *Why* as well as the *What*, and examine not only whether the action be allowable, but whether it be convenient. But not to insist on this, I will offer you a fair bargain. Do you your part, and I will do mine, make it reasonable, make it fitting to do what you desire, and I will do it. And that you may be satisfied I am in earnest, I promise you faithfully to renounce these Positions as fully and solemnly as you can desire, whenever you shall make it come to pass that so to do is my duty, and not onely a bare gratification of your curiosity; and, in the mean time, assure you I heartily abhor them and alwayes did. The Child lyes now at your door *F A*. If you truly desire the thing should be done, provide a good *Why* we should do it. For my own part I tell you truly, I shall take it very unkindly if after this I pass still undisturbed among those whom you think deserve suspicion and distrust; and since you have urged me to this Declaration, conceiving you are obliged to take care that it be not wholly useless. Pray let me put another Dilemma to you. Either your credit is great enough to preserve us from the inconvenience of speaking plainly, or it is not: If not, we are blameless, who are not forward to run into inconveniences to no purpose; if it be, tis you are blameable, who urge us to an inconvenience which you can, but will not, remedy. Mean while to be ill lookt upon and ill treated, if we make our selves appear honest Catholics, and not so much as have protection for being Catholics, is to be acquitted of Burglary, and found guilty of Felony. Methinks it is something unreasonable to make the maintenance of pernicious Doctrines the ground why we should be liable to punishment, and keep us every jot as liable if we disclaim them. Not but that we are very sensible of our present quiet, and bless and pray for the merciful Authors of it: But yet the Law is the Law still; And it is very uneasy to have no better security either of Estate or Life than a bare stop to the course of the Law, which may be removed at pleasure. For my own part, as I am but *John Porter*, so I hope tis a modest and pardonable ambition, if I wish to continue so with security. And since an extravagance in others, which I cannot help, may make you jealous even of my Frock and Cords, I shall gladly Endeavour to cure that jealousy by any remedies which Reason can prescribe, or Honestly take. But  
till

till you can procure thus much favour, to urge a testimony of honesty so ungrateful to him, to whom we owe, and must pay a fitting respect, and when we have given it, to continue us still in the condition of Knaves; is hard in it self, and harder from you who have profest so often that you punish not for Religion, but Treason. Religion indeed is the most comfortable cause of suffering, and that which if I must suffer, I would chuse; But yet suffering is suffering still; let the cause be what it will; And though I esteem Patience very much, and desire the Vertue with all my heart, I know not why I should desire the occasions to exercise it, and believe it is better not to need live Pigeons than to have them.

Coming to review what I have writ, I find the hasty course of my pen, intent upon the main body of the discourse has past over several branches, which deserve to be particularly taken notice of. As when you say, that so the mischievous Doctrines be allowed, it is all one whether they be allowed by the material Church, or the formal. To which I reply, the difference is very great. For were the Church truly engaged for them, there were no remedy, but either to own the Doctrines, or disown the Church. But if she be not engaged for them, as she is not, one may detest the Doctrines, as I do, and yet remain in the Church. Again, when you make Church and State equivalent, I conceive the difference appears sufficiently in what has been said. State signifies a body of men united under such a Government and such Laws; and what the Governours do, the State is said to do, for to the Governour it belongs to command in public concerns, to the rest to obey. Church signifies a body of men living according to Doctrines and Laws establishd by Christ; and because, as men, they cannot but have an act upon other Principles too, those actions only and Principles which are derived from Christ, can properly belong to the Church, in the rest they are to be lookt upon as men, not as faithful. Besides, you have produced some few who have the boldness to entitle those Errors, as gross as they are, to Faith and make the contrary Heresie. To which I answer, There are a great many strange things in the world, and peradventure few stranger than that men should get the reputation of learning, and yet not know so much as what Faith is, or at least the means by which it has come to us. *The Regia Via, as Councils*

call

call it, of Faith, is both plain in it self, and plainly recorded in the Monuments of the Church, and that people should think to come to it by their own little by-ways, and make Faith of that which is publicly and unrepitably contradicted by the far greatest part of the present Church, and has no footsteps at all in Antiquity, and yet pass for learned men, is a thing I have more disposition to admire than unriddle, farther then in the short hint I gave of the abuse of that term by a wrong application. If ought else have escap'd my observation, by what I have said, I presume you will easily guess what I would say to it. Give me leave to end with reflecting a little upon the difference there is betwixt these opinions maintained by the Adversarys of the Church of Rome, and maintained by her Members, For to flatter neither side, *Iliacos intra muros peccatur & extra*. You communicate with deposing-principled men, as well as we; though, thanks be to God, neither true Protestant, nor understanding Catholic communicate with the Principles. Now for our Church I have shewn why this extravagance of some of her members is not imputable to her, and hope you perceive how unreasonable it is that she would answer for the deviations of those who will not walk in her way, nor make use of her Rule. Some Popes indeed have behaved themselves otherwise than I wish they had: But since they are Princes as well as Bishops, I conceive it will not be thought strange if all great men are not Saints, and if Humane Policy, and a desire to encrease their greatness sway with them as with other Princes. If they attempt upon the rights of others, Kings I hope know well enough that they bear not the Sword in vain, and can as well tell how to defend themselves, and their Subjects from wrongs incident from them, as from other men; and sure I am that Catholics are so far from being restrained by their Religion, that it obliges them to stand by their respective Sovereigns, in defence of his just Rights against the Pope as effectually as against any other. I could alledge that of those Popes who have gone farthest, none has defined any thing concerning these matters in those circumstances, which even those Divines, who attribute most to them, require as necessary to make it believed, or *ex Cathedra*, as they call it. But I conceive it needless, it seeming to me sufficiently evident by what has been alledged already that our Faith and Church are not to suffer by these exorbitant



exorbitancies; and commonwealths can secure themselves by  
 their own power. But Friend! the case is otherwise with you.  
 Your men alledge Scripture for these errors, and engage your  
 Rule of Faith; and now the honest Protestant (who in this  
 case undoubtedly has the true sense of Scripture on his side)  
 can stand solemnly disengage his Church from a scandal to which is  
 pretended the authority of her Rule, is difficult to apprehend.  
 If people come not to their journey's end who refuse to take the  
 right road, it is no wonder to any; nor blame to the Guide,  
 whose office it is to shew men the right way, but cannot make  
 them follow it. But your men pretend they keep the way your  
 Church shews them to Truth, and yet arrive at Error. And  
 when Error and Truth pretend both to the same Rule, and that  
 the Rule of your Church, I should think your Church deeply  
 concerned to consider by what means it may be decided which  
 is Heresie, and which Faith. In short our erring men, since  
 they pretend not our Churches Rule, can never fix their errors  
 upon the Church, nor advance them to Faith, nor beyond the  
 degree of opinions: Yours, since they pretend to the very Rule  
 owned by you, must needs, till a certain way of proceeding  
 upon that Rule, or interpreting Scripture be settled, render it  
 doubtful to those, who truly desire to be guided by your Rule,  
 which of the two is the doctrine of Christ and are therefore  
 wonderfully more dangerous to the Church than ours. Farther,  
 abstracting from Passion or Interest which may be equal in both;  
 ours, because they have no firmer ground than their own de-  
 ductions, are more reclaimable, and may at any time relinquish  
 their errors, without offering violence to their Faith and Reli-  
 gion: Yours, because they pretend to your Rule of Faith, are  
 apt to mistake their misguided Fancies for Religion (as we have  
 seen in the late confusions the title of Saints appropriated to  
 wicked men) and so become fixt and unalterable in them? for  
 which reason they are also much more dangerous to the State, as  
 they were before to the Church. In this inequality of cases, I  
 do not know the Church of England has proceeded so far as ours  
 in the Council of *Constance*, or condemned these Errors by any  
 Authentic Censure, though in my opinion it were proper for  
 her to consider how much her Rule, upon which depends her  
 own stability, is concerned in them. Mean time, instead of  
 reproaching.



reproaching our several Churches with the errors of their several Members; It were I think more to purpose, I am sure more charitable, to endeavour that all Errors might be taken away on both sides, that by one Faith and one Baptism we may all serve our one Lord and God, and reunite into one Holy, and Immaculate, and Glorious Church, free from those spots and wrinkles which our unhappy Divisions have too too much, and too long brought upon her. This is what the desire to obey your commands has suggested to me in answer to your Letter: You will pardon the length of it, which, as it is beyond my expectation, so 'tis beyond my power to remedy, and give me leave to hope it may prevail with you not to abate either your Charity to my Religion, or kindness to.

*Your very humble Servant.*

THE  
THIRD and FOURTH  
OF THE  
CONTROVERSIAL LETTERS:  
OR THE  
G R A N D  
Controverſie

Concerning

The pretended Temporal Authority of POPES  
over the whole Earth, and the true Sovereign  
of KINGS within their own reſpective Kingdoms,

Between two Engliſh Gentlemen,

The one of the Church of ENGLAND,

The other of the Church of ROME.

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L O N D O N:

Printed for *Henry Brome* and *Benjamin Tooke*, at  
the Gun and Ship in *St. Pauls Church-*  
Yard. MDCLXXIII.

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THIRD and FOURTH  
OF THE

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OR THE

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## FRIEND,

**F**OR all the thanks I owe you, and all the Complements 'twere fit I made you, take this acknowledgment, that you have answered beyond my expectation; and this assurance, that I will consider very seriously what you say, and make such use of it, that you shall have cause to think your labour not unprofitably spent. But yet I cannot but complain of the secrecie which you enjoyn me. I for my part am so well satisfied of your way of writing, that I cannot but think others will be so too, and that this shins of yours is injurious both to your self and the World; and because unjust commands are not to be obey'd, let me tell you frankly I mean not to confine your Papers to my closet. They shall be seen if it please God, by more Eyes then mine; but yet not to fall absolutely out with you, I will divide stakes, and so communicate what you write, that there shall be no suspicion of the Writer. This I promise you very faithfully, and to do it with more exactness, lest your name should be discovered, I engage my self to conceal my own. Then if *John a nokes* get all the praise from you, the fault be upon your own Head. For the rest to deal plainly with you, I find my self I know not how. Things will not settle with me, and though out of the mouth of a good Protestant, I believe what you say would have past good reason; yet when I reflect you are a Papist, that is, if you will pardon my Freedom, of a crafty insinuating Generation, I have still a kind of grumbling.

This Papist marrs all; and though I think my self as free from prejudice as other men, I find 'twil not do. I can not but fear being trapan'd. You have I must confess said many things very well, and more then I thought

you had been allow'd to say, but you are reserv'd still. 'Tis true you give Reasons for your reservedness, which I can not answer; but whether it be that my plain nature would have every thing as plain as my self, or that curiosity be like Love where too much reason is thought blamable. I could wish in this occasion you had us'd less Reason and more Freedom. Speak out the whole truth, man, and be a good Protestant; otherwise own the whole Falshood, and be a Papist of the first magnitude. I fear your half Catholicks are in as bad a Case as *Montalto's* half Sinners, who shall be damn'd for not sinning enough. For my part if I would be a Papist, I would be a Papist to purpose. Hang this motly Religion, this half *Rome*, half *Geneva* Faith, which gets a man neither credit nor security. I would be as good a Catholick as *Bellarmin* for his heart if I would be one; and if I thought your Catholick Faith would save me, I would take order mine should be Catholick enough sure, and never boggle at any thing should be offer'd me. But to leave Jeasting, let me tell you, though I know not how you will relish the Complement you write so well that you must needs write again. I may possibly hereafter give you more trouble upon this Subject, when these fluttering Fancies of mine are settled into a steady Judgement. I know not how satisfactory your Answer may prove when I have fully examin'd it: If it do not, I reserve my self the liberty to tell you so; and in the mean time conceive you could not chuse a more useful Argument, then this of the Popes power. He was a man famous for wisdom, who, as I find cited in one of your own Authors, was long troubled that some clear explication of the Papal Authority had not hitherto been made by some publick or definitive Sentence; and this both that those Princes, who acknowledge it, may be secure from the fear and suspicions of continual Treasons and Attempts of Assassins; and those Princes who do not acknowledge it, and yet desire to think favourably of their Subjects, may certainly know how far they may rely upon their fidelity in temporal matters, who differ from them



them in what concerns their Conscience. Consider besides what confusion, what Wars and Bloodshed we find in History upon the contests betwixt the Spiritual and Temporal Power. People distracted betwixt the fear of making Shipwreck of their Faith or their Fortunes, know not how to avoid either Heresy on the one side, or Rebellion on the other. If the World were once well inform'd of the just bounds of those two Powers, and knew wherein they consisted, and how far they extended, such contests would either not happen, or if they did People would readily know which part to take. However it be, pray satisfy me at least in this particulars. The substance of your Answer consists in this, that the Doctrines I objected belong not to your Faith or Church. But does not this belong to your Faith, That the Pope is the Vicar of Christ upon Earth? I think you would not take him for a Catholic who should deny it. Now if Christ gave to the Pope the Power he had himself, since He without doubt had all both Spiritual and Temporal Power, how can you avoid being oblig'd, and that by an Article of your Faith, to acknowledge that the Pope likewise has all manner of Power, and may justly and lawfully do all those things which your Letter calls the exorbitant fancies of private men. This Friend exceeds the bounds of probable opinions, and intrenches strongly on your Faith. Wherefore you shall not deny either my friendship or importunity an Answer to it. But answer so, if possibly you can, that these doubts or umbrages, or what you perhaps may find a better name for, then I can give a reason of, may trouble me no longer. Will you permit me to deal plainly with you? I suspect you have said more then you are allow'd to say, and more then I should be allow'd to hold if I were of your Communion. The Jews were not more zealous to make Profelytes then you are; and what know I but you may have a design upon me, and say more what you think may

Induce me to think favourably of your Religion, then what your Religion gives you warrant to say. Let me therefore intreat you to say nothing but what a good Catholick may unrepurvably say, and what I may be secur'd shall not be he disallow'd by your Church. And since I can promise you no other fruit of your labour, for I do not think you hope in earnest to make a Profelyte of me, accept the assurance I give you, that you shall at least firmly bind to your Service,

Tames, &c.

Friend

## FRIEND.

**Y**OU know the power of your friendship over me, and you make use of it. For ought I see mine is just the case of handsome-handed *Tom Fool*, whom that praise betray'd to so much labour, that he complain'd his dexterity had almost crippled him. Pray God my easiness, or your importunity give me not one day more cause of complaint than he had. But since you will not be deny'd, 'tis best to obey you without more ado. For your uneasiness I could laugh at it, if its deeper root did not give me too much cause of grief. As sincere as you are you are prejudic'd Friend, and this uneasiness of yours is the struggling betwixt reason, which you plainly see, and a passion so secret that 'tis hid even from your self, which hinders you from entertaining freely what you see. Not but that I know your candour well, and am enough perswaded you are not conscious of opposing reason wilfully, and would be your Compurgator of sin against the Holy Ghost. But thus it happens: Ever since the change of Religion, and the bad attempts of some Catholicks in the days of Queen *Elizabeth*, heightned by the horrid *Powder Treason*, it has been perhaps the direction of the State, however the employment of Pulpits, to give bad impressions of Catholicks and their Religion. And this has been done so long, and so universally, and so vehemently, that since you find the effect of it, I may reasonably judge there is none who has not his share, and who has not found an *Idea* of Catholicks more according to what they have been represented than what they are. As the Nature and circumstances of men are different, and some are fram'd to a sweet uprightness, others to an unwayward crookedness. Again some converse much with good Catholicks, some with bad ones, some with none,

none, and who have no other knowledge of them, but as they hear of strange animals in *Afric* or the *Indies*, so men are differently affected towards them: But I believe there is none who has not more or less of the bad *Idea* so much endeavour'd to be fixt upon them, and that no hearty Protestant can hear things said to the advantage of Catholicks or their Religion without that uneasiness at least which you find in your self. It were to be wisht, and perhaps expected from the Charity of *Palpiss*, that the example of that wise and merciful King, against whom that Treason was plotted might have been followed, and the Innocent distinguisht from the Guilty. But whatever might or should have been, we see what is done, and you find the effect in your self, whereof that you may not think reason the cause, consider a little that while we pass generally for ignorant stupid people, led blindly into all the follies to which our blinder Guides our Priests conduct us, you object craft and subtlety to me. Reason, Friend, is more uniform and more of a piece, and objects not so crossly. For what you say of our Jewish zeal of gaining Profelytes, I must avow to you I am of St. *Pauls* mind, and with *non tantum se, sed etiam omnes qui audiunt hodie fieri tales qualis ego sum, exceptis vinculis his*. I am taught to love my neighbour as my self, & because I am satisfy'd the way in which I am is the way to Heaven, I wish every body would chuse it. But if you think me a dangerous person for this, you must think Reason a dangerous thing, which he that fears to be trapan'd, let me tell you is more trapan'd by his own fears. You talk pleasantly of half Catholicks, and motly Religion, but I think you expect no answer, and need not be put in mind, that Religion as sacred as it is cannot hinder men from using their weak apprehensions, and disorderly fancies, (and irregular deductions as well upon it as every thing else; and he that shall take all that for Faith, which every even faithfull man offers him, may too truly say *inopem me copia fecit*, and find perhaps at last that too much Religion has left him none at all. For the new trouble with which you threaten me,



me, I hope the more you examine my answer, the less cause of exception you will find against it. Nevertheless if you do prove dissatisfy'd, I will endeavour, when I know why, to satisfy you as well as I can.

The noble Person cite was unquestionably a wise man, and his saying is a wise saying, and I am of his mind, and wish such an Authentick definition made in this matter with all my heart. But Friend, I am no Pope to make one, and though I am perswaded an Authentick definition of truth might produce very good effects, I fear an unreasonable dispute might do as much harm. Those two Powers like two boundless Seas, have sometimes struggled together, and in their irresistible Waves buried multitudes of unhappy People. We may bless God we live in a calm; disputes might raise the billows again, and who knows when they would be laid. I could speak with Freedom to you, but since you talk of communicating what I say to others, consider that one will mistake ignorantly, another pervert wilfully, a third deduce rashly, and in a matter of this consequence where our duty required by the Law of God is concern'd, all interpose eagerly, and the most ignorant being still the most forward and full of noise; the great good you fancy by setting bounds to the two Powers, would prove clamour, and bustle, and inextricable confusion, and if any miscarriage happen all will be imputed to the Author, who as innocent as he may otherwise be, can never yet acquit himself of meddling with what he has nothing to do. No Friend, let us preserve the Majesty of Supream Powers in an awful distance, and submit to them with the reverence of a quiet obedience, and not make them cheap by unreasonable disputes. Princes and Bishops are both sacred, let what belongs to them be so too, and not toucht without the excuse of necessity or obligation of duty. *But People should know how to behave themselves when the two Powers are at odds.* For my part I conceive this is a Case which may safely be left to Gods providence, and that those who do amiss, sin more by Passion then Ignorance. Let a man truly mean



mean to do well, and bring an upright Conscience to he Action, and I believe he will not want as much knowledge as is necessary for him. This I see, that God being Author of both Powers, it is not possible they should enterfare, but by an abuse of the one, and that abuse will be visible enough; and when the case happens those who do not want honesty will not miscarry for want of knowledge. In the mean time I should be very sorry to see the case happen, I will not contribute towards it so much as even to mention it. Obedience is the duty which God and my condition require from me, and in the performance of that I will endeavour to be found unblamable, and leave disputing to those who value the praise of a witty or subtle man, above that of a faithful and quiet subject. Besides though I might possibly hit of something more then is usually say'd on the argument, which in my Opinion uses to be treated lamely enough, yet I take it much to exceed the sphere of my ability. In two words it is a question which I neither could sufficiently handle if I would, nor would if I could. But for your second question, since it trenches as you say upon Faith, and we are taught to be ready to give satisfaction to any who demands an account of the hope in us, I shall obey the Apostle and you to my power. You tie me nevertheless to pretty severe conditions, for what is there, or can there be so plain which mistaking zeal will not reprove? or what other remedy can I bring to settle your quietness then Reason, which yet I conceive to be the very thing which causes it? The only expedient I can find to speak as you would have me is to say nothing at all, I mean of my self, farther then to deliver, upon occasion, my sence of what others say, but answer your objection in the words of such men of whom you may be secure they will run no hazard of reproof from our Church; and if your Reason can as well rectifie your self as their Authority will justifie them, I hope you may at last be satisfy'd. Remember then if you please that I take not upon me to determine dogmatically what is true,

true, and what false, but only to acquaint you what may by a Catholicek unreproubly be said. Peradventure I have no reason to be displeas'd with the bargain, for dogmatizing being so much out of Fashion in this age, it is a great deal more easie as well as more fashionable to deliver what other men say to the point, then to handle and conclude the point it self.

But to your difficulty. *The Pope, say you, is acknowledged by Catholicks to be the Vicar of Christ on Earth; and I acknowledge that he is so. From this you frame such an Argument; What power Christ had, the Pope has; Christ had all power, therefore the Pope has so too, and this by an Article of our Faith.* Before I answer, let me intreat you to consider what work 'twould make if it were apply'd to Princes instead of Popes, which I think it may as well be. For if the Pope be the Vicar of Christ on Earth, Princes are the Vicars of God on Earth; and that I think is as good and reaches as far: And if his Vicarship import a power to dispose of Kingdomes, why will not their Vicarship import the power of the Keys? and why may not he, who purely upon the score of Vicarship, comes to the Pope for a Title to a Kingdom, as well go to his King for Remission of his sins? If the Pope must be said to have the temporal Power as well as spiritual, because Vicar includes both, I see not how Princes can be deny'd to have the spiritual, since they have the temporal, and are Vicars as well as he. This Doctrine would make brave work, and introduce a very pleasant Reformation into the World. But I forget that I am to say nothing of my self. I must therefore undertake a needless labour, and shew from other men that Princes are the Vicars of God; and though the unanimous consent of every body might well excuse me, for none that I ever heard of either doubts they are so, or boggles to call them so when the phrase comes in their way, yet I must not break my bargain. Let us then consider what this word Vicar signifies, and in such plenty, or rather such a multitude, for I wish the plenty were as great as the

number as we have amongst us, we cannot sure be ignorant what a Vicar is. We see he is one who supplies the place of another, who not able for other respects to attend to his proper employment, delivers it over to be executed by him whom we call his Vicar. Kings we see govern the World, and the Government of the World being the proper work of Providence, they do the business which properly belongs to God. But the nature of God being of that unsociable excellence, that we are not able to bear the immediate Rays of divine brightness, and converse with him whose Face none can see and live, our nature requires he should do this by such substitutes to whom we may address our selves, and have recourse for what we need. Since Kings then supply the place of God, or do that which he should do, and which he truly does by them, they want nothing to the perfect notion of his Vicars but this, that they be appointed and impow'd by God for that end: With this difference notwithstanding, that Vicars are necessary for other men, from the imperfection of their natures who make them, because they cannot attend to two employments at once; but are necessary for God from the superexcelling perfection of his nature, and imperfection of ours, which cannot bear an immediate converse with him. Now that they are immediately substituted by God to govern the World under him or in his place, since tis not likewise to be deny'd, I hope a few Authorities will serve to prove. And yet I cannot tell whether that hasty word *Immediately* will down with all. For some Divines put this difference betwixt the Spiritual and Temporal Power, that the first is immediately from God, the second by mediation of the People, subjecting themselves by way of Election, Succession, or such other means by which Governments are either introduc'd or establish'd. And for my part, though I were not ty'd from dogmatizing, *irritare crabrones* is a thing from which I have much aversion, especially in a question which I conceive of an extraordinary importance. For whether the power be from God immediately or  
 mediately

mediately, so it be from God, I conceive it extends as far and is as much to be obey'd. *Saul* and *David* were immediately appointed by God, and yet I think as much obedience was due to *Solomon* as either of them, and that *St. Peters* Successour, whether *Clemens* or whoever else, was as much Pope as he. And if election made the power mediate, we see Popes are not Popes till they be elected. There are indeed who by this mediation understand a reserve in the people to reassume in certain cases the power which they have given : But this I must needs think very abominable, and shall not stick to say whoever reproves me for it, is himself more reprobable. *St. Paul* has taught there is no power but from God ; so I believe : and if any think they have found better Masters of Faith, I for my part mean to stick to those which Christ has given me. But let us see what is said by those whom no Catholick I suppose will reprove. The Council of *Paris* speaks methinks to purpose, when it says : *No King must think his Kingdom left him by his Progenitors, but truly and humbly believe 'twas given him by God: And that earthly Kingdoms are not given by men, but God, the Prophet Daniel testifies, Dan. 4. 14. & 5. 25. & Hierom. 27. 5. But to them who think their Kingdoms given them by Succession from their Ancestors, and not rather by God, agrees that which God reproves by the Prophet, They have reigned, but not by me ; they have been Princes, and I knew them not. — Wherefore whoever Reigns temporally over other men, let him believe his Kingdom was given him not by men, but by God. St. Austin de Civit. Dei; Let us not attribute the power of giving Kingdoms and Empires to any but the true God. Tertullian; They (Emperours) know who gave them the Empire ; They know 'twas he who made them men, and gave them souls. They are sensible 'twas God alone, under whose power alone they are, second to him, and after him first before all men. Again ; From thence is the Emperour from whence the man before he was Emperour, from thence the power from whence the spirit or breath. I am not good*

L. 2. c. 5.

Osee 8. 4.

L. 5. l. 21.

Apologet. adv.  
Gent. c. 30.

at subtiltys, but methinks 'tis hard to make that power mediate, which is not from Ancestors and Succession, not from men, but from God alone. More refin'd wits perhaps may make it hang together that Kings have their power from God alone, and from something else too, and that their power is mediate, in which none interposes but himself; and prove a gift from the people of that which God himself gives, as if his power were under Age, and could not make a valid donation without them: and when they have done such fine things, we are still just where we were; for 'tis acknowledg'd of all hands, even by those who least favour the temporal power, that it is from God; and if it be so, those who have it from him are his Vicars. But yet you shall not take my word even for so much. He was a Vicar of Christ himself, who speaks thus to the Emperour: *The brest of your clemency is Sacrarium, the sacred depository of publick felicity; that by you whom God has commanded to preside as his Vicar on Earth.* And before him *Eleutherius* in an Epistle to King *Lucius*, our, and I think the Worlds first Christian King, preserved in our Antiquities, tells him 'twas needless to send him the Roman Laws, which the King desir'd, but wishes him to take the Law of God, and the advice of his own Nation, and frame such as were proper for his Country, as being himself the Vicar of God. After him another uses these terms to the Emperour: *Although you similitudinem geras, which I know not how otherwise to English then represent the person, or are the Vicar of the Emperour Christ himself.* The same phrase is found in Pope *Hermisdas*. *St. Ambrose* speaks plainly; *Let them know they are not free, but under the power which is from God, for they are subject to their Prince, qui vicem Dei agit, who is the Vicar of God, as to God himself.* *S. Tho. of Aquin.* If he be Author of the work attributed to him, says a King is oblig'd with all care and diligence to look after Religion, not onely because he is a man, but because he is a Lord and a King, and Dei vices gerit, is the Vicar of God, on whom he chiefly depends. To omit *Nicolaus de Lyra*, *Favardentius*, and more then a Letter would

Anast. 2.  
Ep. 47.

Steph. 6. ap.  
Ezron. an. 885.  
n. 11.

In Ep. ad Rom.  
c. 13.

De Regim.  
Princ. l. 2.



would hold, or you have patience to read (for I think you are furnisht with a sufficient stock of that vertue, if you can forgive the folly of saying so much as I have done, which seems to me not much wiser then to go about seriously to prove there is such a place as *Jamaica*, or has been such a Man as *Harry* the 8th.) I shall onely adde the Authority of the Roman Pontifical Printed at *Rome* 1595. where the Prayer appointed for the Consecration of Kings ends thus, *That you may glory without end with our Redeemer Jesus Christ, cujus nomen vicemq; gestare crederis, whose name you bear, and whose Vicar you are.* This being so, consider now what a pleasant Argument you have light upon, by which Kings may as well absolve Penitents, and confer Sacraments, as the Pope dispose of Kingdoms. Notwithstanding let us look a little nearer upon it. Christ, say you, gave all the power he had; He had all, both Spiritual and Temporal, therefore the Pope must have it too. If you will not be too hasty in your censure, but delay it till I have time to explain my meaning, I will answer you a Catholick may be a very good Catholick, and believe all a Catholick is bound to believe, and yet believe never a one of those two Propositions. Not that I mean to be guilty of the blasphemy of denying to the Son of God all power in Heaven and Earth, but that Son of God being man too, I do not know a Catholick is bound to believe that man, purely as man, was a temporal King. But of this more by and by when your second Proposition comes into play; in the mean time let us consider the first, *viz.* That Christ gave to the Pope in *St. Peter* all the power he had himself. Pray how does this appear? 'tis included say you in this, that he is his Vicar. I beseech you consider again, for I cannot readily think of an inference which seems to me more wild, and more palpably contradicted by the open course of things with which we daily converse. A Judge represents the King's Person, a Constable does it, all Officers both Civil and Military supply his place in their several employments. Can every

one of these therefore do as much as the King ? Can a General coyn money, or a Judge call a Parliament, or a Constable make War and Peace ? We see their several Powers are bounded by their several Commissions, and the privilege of representing his person gives them no more power then he is pleas'd to confer upon them. How can it be otherwise with the Pope ? He indeed is the Vicar of Christ, and represents his person, and so the Judge does the Kings, but what power he has we are to learn from his Commission, not his Title.

Let us now consider what a good Catholick may say to this point. And first I believe no man can reprove him if he say he finds no temporal power included in any Commission recorded in Scripture, Tradition or the Fathers ; and if he refuse to believe more then he finds there, I think none will reprove him for that neither. In Scripture we find *Saint Peter* commissionated to teach, to baptize, to feed the Flock, to confirm his Brethren ; we find the Keys of Heaven promis'd and given him, and what those Keys signifie we find there declared to be this, that what he should bind or loose on Earth should be bound or loos'd in Heaven. But of deposing Kings, or disposing of Kingdoms, we read no word. That his Commission extends only to Spirituals, is a thing so notoriously known, and universally receiv'd amongst Catholicks ; none denying it but some Canonists who meddle *ultra crepidam*, and a few Divines who handle their *crepida* unskilfully and follow them, that to be serious and earnest in the proof of it, is a labour as little needful and perhaps less pardonable then that which I have newly ended, of shewing Princes to be Vicars of God. However because I am to say nothing of myself, hear what others say. *Gelasius* speaks very clearly : *Euerant hec ante adventum Christi, &c.* Before the coming of Christ, figuratively, and remaining yet in carnal actions, some were both Kings and Priests ; as the H. History delivers of Melchizedeck. Which thing too, the Devil, striving always with a Tyrannical Pride, to usurp to himself those things which be-  
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De Anath.  
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long to divine Worship, has imitated amongst his Followers; so that amongst Pagans the same men have been Emperours and chief Bishops; but when we were once come to the true King and Bishop (Christ) neither has the Emperour any longer assum'd the name of a Bishop, nor the Bishop the regal dignity. For although his Members, that is of a true King and Bishop, are magnificently said according to the participation of his nature, to have assum'd both in a sacred generosity, that the Regality and Priesthood may subsist together; yet Christ mindful of the frailty of humane nature, tempering with a glorious Dispensation what might conduce to the salvation of his People, has so distinguish'd the Offices of both Powers by proper Actions and distinct Dignities, desirous his Followers should be sav'd by wholesome Humility, and not again betray'd by humane Pride, both that Christian Emperours should need Bishops for eternal life, and Bishops in the conduct of the temporal things should use the Imperial Laws, that the spiritual action might be distant from carnal assaults, and he who militat Deo is a Souldier of Gods, should not embroil himself with secular business; and on the other side, he who is entangled in secular business should not preside over divine matters; both that the modesty of both degrees might be provided for, lest he who had both should be puff'd up, and a convenient profession be particularly fitted to the qualities of the Actions. This man was a Vicar of Christ himself, and you see he is so far from thinking his Commission extends to temporal things, that he plainly teaches Christ distinguish them, and left the spiritual Power so alone to him, that for temporal Laws he was to be beholding to the Emperour. I might peradventure have run the hazard of reproof, if I had said that to joyn those two Powers is an Artifice of the Devil, but I suppose that saying will not be reprov'd in so antient and so holy a Pope. Symmachus succeeded as to his Chair, being the next Pope but one after him, so to his Doctrine. You, says he to the Emperour, receive Baptism from the Bishop, the Sacraments, Penance, desire their Prayers, their Benediction; lastly you administer humane, he dispenses divine things to you. Greg. the 2d. Ep. 13. to the

the Emperour Leo; *As the Bishop has no power to look into the Palace, and meddle with regal dignity, dignitates regales deferendi; so neither has the Emperour to look into the Church, &c.* — Bishops are therefore set over Churches, abstaining from the business of the Commonwealth; that Princes in like manner may abstain from Ecclesiastical matters, Leo 4. 2. q. 7. c. *Nos si incompetenter.* It is to be noted that there are two Persons by which the World is governed; the Royal and the Sacerdotal. As Kings preside in the affairs of the World, so Priests in what belongs to God. It belongs to Kings to inflict corporal, to Priests to inflict spiritual punishment. — He (Judex) carries the Sword for punishment of the bad and praise of the good: these (Priests) have the Keys to exclude the excommunicate, and reconcile the penitent. Nicolas 3d. C. *Inter hæc* 32. q. 2. *The holy Church of God is not govern'd by worldly Laws, she has no Sword but the Spiritual, with which she doth not kill but quicken.* Adrian the first in the Council of Frankfurt seems to me with one little word to explain very well the Commission given to St. Peter: Peter, sayd he, in reward of his confession was made Porter of Heaven, and had power to bind and loose; so much we already know, 'tis recorded in Scripture, but what was it he could bind and loose? *Souls* says the Pope. These Popes understood and us'd their power as well as most of their Successours, and they knew nothing of Temporal power, but confin'd what was given them to spiritual and divine things, and care of the Soul. And that this too is the sense of the Church, I think will appear by the Prayer us'd on the Feast of St. Peters Chair, which antiently ran thus; *O God, who by giving the Keys of Heaven, hast deliver'd to Peter the Pontifical dignity of binding and loosing Souls.* This last word *Souls* is left out of the latter Editions, I suppose to render the Prayer more conformable to the expressions of Scripture, and peradventure to keep more close to antiquity, of which they are very tenacious at Rome: for *Platini* in the Life of Leo 4th. delivers the rude draught of this Prayer, whence 'tis likely the Prayer was taken, with-

without that word : But the meaning with the word and without is the same ; Words may alter, but the Churches sense alters not. But let us hear some other of the Fathers. *Hosius* Bishop of *Corduba*, who presided in the Council of *Nice*, and was counted in his time the Father of Bishops, writes thus to the Emperour *Constantinus*: *God has committed the Empire to you, and entrusted us with* *Vid. Athar.* *what belongs to the Church: / and as he who looks upon your Em-* *Ep. ad Solicita-* *pire with envious Eyes contradicts the divine Ordination;* *rios.* *so do you take heed that by drawing affairs of the Church to you, you incur a great crime. It is written, give what is Cæsars to Cæsar, and what is Gods to God. Wherefore neither is it lawful for us to take an Empire on Earth, neither does the Power of Sacrifices and holy things belong to you.* *S. Jo. Chrysostom* 4. in verb. *Isaïæ*; *Bodies are committed to Kings, Souls to Priests.* — *He has material, those spiritual Arms.* *S. Hierom.* in cap. 16. *Mat. The Spiritual Key extends not it self to Temporals without Arrogance.* *Theophylac.* upon *John* 21. *Our Lord makes Peter not a Prince, not a King, but commands him to be a Pastor.* — *Food,* says he, *not Kill, &c.* *S. Anselm.* upon *Mat.* 26. *There are secular Officers by whom Temporal things, and Spiritual Officers by whom Spiritual things are managed. Wherefore the material Sword is given to carnal, and the Spiritual to Spiritual Officers; and as what belongs to the Church is not proper for Kings, so neither ought the Bishop to meddle with what belongs to Kings. Which because Peter (who represents spiritual men) did, when he us'd the material Sword, and cut off our Servants Ears, he deserv'd to be reprehended by our Lord.* *Hugo de san. Victor.* de sacr. fid. l. 2. p. 3, c. 4. *Earthly Power has the King for Heads: Spiritual Power the Pope. Earthly things, and all ordained for earthly Life, belong to the power of the King; Spiritual things, and all belonging to Spiritual life, to the Pope.* Again l. 2. p. 2. c. 3. *It is given to the faithful Christian Laity to possess Temporals, to the Clergy onely Spirituals are committed.* *St. Bernard* speaks thus to the Pope: *Your Power is not* *De confid. l. 1.* *in Possessions, but in Crimes; and for these, not for them,* c. 6.



you have received the Keys of the Kingdom of Heaven. Consider Hugo's *onely* Spirituals, and St. Bernards not for Possessions or Temporals, and judge whether a Catholick is like to be reproved for not extending the Popes power beyond Spirituals. And in his 2d. Book speaking of Temporals; *Be it*, says he, *that you may some other way challenge these things, but not by the right of Apostleship, for he (Peter) could not give what he had not himself, what he had that he gave: the care, as I said, over Churches.* Rupertus Abbas upon these words *nor a Rod*, Mat. 10. speaks thus; *But now there are two Rods, one of the Kings of Gentiles, another of the Disciples of Christ: The Rod of the Kings of Gentiles is the Rod of Dominion, the Rod of the Disciples of Christ is the Rod of Direction, the Rod of Pastoral duty solicitously watching over the cure of Souls: The Rod which is of Dominion, is not granted to the Ministers of the Gospel of Peace, and that is forbidden here, nor a Rod, &c.* Cardinal Damianus L. 4. Ep. 9. ad Olderic. Episc. Firman. *Between the Kingdom and Priesthood the proper Offices of each are distinguished, that the King may make use of the Arms of the World, and the Priest be girt with the Sword of the Spirit, which is the Word of God.— If any Object that Pope Leo engaged himself often in War, who nevertheless is a Saint; I say what I think, that neither Peter obtained the Apostolical Principality because he denied Christ, nor David deserved the Oracle of Prophecy because defiled another mans Bed.* Schoolmen as they speak more plainly, are a little more severe. Almain de Authorit. Eccles. c. 2. puts this difference betwixt Ecclesiastical and Lay power, that by this *onely* corporeal punishment is inflicted, by other Spiritual precisely. Joan. de Parisiis c. 10. de potest. Reg. & Pap. *Granting that Christ had temporal authority and power, yet gave it not to Peter.* c. 15. Answering the Objection from Quodcunq; solveritis, &c. I answer with Chrysostom and Ravanus, *by this is not understood any power given but Spiritual to absolve from the bond of Sins: and it were foolish to understand a power given to absolve from the Bond of Debt.* Again c. 14. *To Peter was given*

given spiritual power onely to remit sins, nor can he do any thing in temporals, but in foro conscientiae. Egid. Rom. Q. de utraq; potest. art. 3. It is to be understood that Christ had a threefold power over bodies, souls, and temporal goods. The first be us & by curing infirmities, &c. The second, viz. Spiritual, he both us'd and delegated as much as is necessary and expedient for the good of Souls. The third He neither us'd nor gave, but rather forbade both to Peter and the other Apostles as is said: And concludes; In the Commission given to Peter his Vicar, we read not temporal, but onely spiritual power committed to him. I will give Thee the keys of the Kingdom of Heaven, he said not, and Dominion over worldly things: Wherefore he presently adds, as explicating himself to mean onely spiritual power, Whatever you shall bind, &c. Ambros. Catharin. upon Rom. 13. That the Pope is Vicar of Christ, is nothing to purpose to make us believe he has power given him to rule all the World in temporals. It rather perswades us such power was not given him, because Christ refus'd it, and as he was man had it not in the World; for after the Resurrection 'twas said all power is given me, &c. But in this World he was subject to secular powers. Wherefore he left the Pope Vicar of that Kingdom which was given him by his Father while he liv'd on Earth; namely, the spiritual Kingdom over his Sheep, &c. Otherwise if he be the Vicar of Christ absolutely according to all the power which Christ had, he should have power over Angels and the Blessed, which is ridiculous. And again, These powers are different from one another, and no man can usurp either at his pleasure; and to think and teach otherwise is most seditious and most horrible. Anton. de Rosell. de Protestat. Imp. & Pap. p. 1. c. 38. Whence I conclude 'tis Herefie and Madnes, to say that the universal Administration of Temporals is or can be in the Pope. Greg. Hamberg. de prim. Pap. Whence it appears 'tis a fable, and invention that is writ in the Decretals, that Popes have the plenitude of power given them, and such a Dominion that they are over Kings and Princes in Temporals. They are smart fellows, these Schoolmen, and speak home, and

yet are good Catholicks for all that, and acknowledg'd to be so; neither are they otherwise reprov'd or reprovable, then as Scholars take the freedom to censure one another. Mean time since a Catholick may unreprouably hold that the two powers were distinguish'd by Christ, and joyn'd by the Devil, the temporal committed to Princes, and the spiritual to Bishops, who if they be Souldiers of God are not to meddle with secular business; that while Bishops dispense divine, Princes are to administer humane things; that to the Clergy belong onely spirituals, and the Popes power has nothing to do with possessions; that dominion is forbidden him, and onely the Rod of direction granted, &c. I hope you may quiet your fears, and not suspect I shall either be disown'd or reprov'd by my Church, if upon the security of so much Authority I deny your first Proposition, and affirm the Popes Vicarship is confin'd to spirituals, and that it hinders not Princes from being Gods Vicars as well as himself; who, if they manage all their trust, are accountable onely to him, second to whom they are, and except whom they have none above them, I mean in their own kind. Onely I would not have you boggle at this, that the Pope is not every where expressly nam'd. For though the Order of Government require that the Head should have more power then an inferior Member, as the Commission of a General must be larger then that of a private Captain; yet I think none will doubt but the power of the Pope and the rest of the Clergy is all of the same kind, and the more which belongs to him as Head of the Church, signifies more of the same sort of actions, not power of another nature. But because I am to say nothing of my self, let St. *Leo* tell you this and more in a Sermon inserted into the Churches Office on the Feast of St. *Peters* Chair at *Antioch*, where speaking of the Confession of St. *Peter*, and the promise made him upon it: *The force indeed, says he, of this power pass into the other Apostles, and the Constitution of this Decree (of the keys) descended to all the Princes of the Church; but 'tis*

not without cause that what is intimated to all is commanded to one. For this is therefore particularly entrusted to Peter, because the example of Peter is propos'd to all the Governors of the Church. And so much to the first Proposition, which though I have abstained from treating dogmatically, yet I have said, or rather shew'd you that others say what may abundantly quiet your fears, and that a Catholick who confines the Popes power onely to spirituals, is so far from contradicting my principle receiv'd amongst Catholicks, that he has the warrant of great, I had almost said all Authority on this side, at least so much that is not well consistent with Catholick principles to oppose it. But I pray mistake me not; for though I have said nothing of my self, yet I would not be misinterpreted so much as to have alledg'd ought which might be thought to question any, not onely spiritual, but even temporal power which may justly belong to the Church, and which when it does, she may without doubt justly use. But 'tis one thing to have power by agreement of men, and another by Commission from Christ, and I would say no more then St. Bernard has said before me, that however such things may belong to the Church, yet not by right of Apostleship. Your Argument assum'd that a Vicar had the same power with him whose Vicar he is; what I have alledg'd was only to answer that, and as I am not oblig'd, so I meant not to go farther.

What I shall adde in examination of your second Proposition you will perceive is more to satisfy your Friendship then your Argument; for whether Christ had temporal Dominion or no, if he gave it not to the Pope, the Pope is never the near, and your Argument sufficiently clear'd. Notwithstanding since I would not give you cause to complain I neglect any thing you propos'd, let us consider how far this is true, that Christ had all temporal as well as spiritual power. But, Friend, I hope your feud to formalities is abated, for I must tell you beforehand, there is no discoursing on this subject without distinguishing the God from the Man. Yew know in  
Christ

Christ the distinct properties of both Natures were so united, that they both made but one Sacred Person, to which person nothing can be deny'd which can with truth be affirm'd of God, and none I think will be so madly blasphemous to question the absolute Sovereignty and Omnipotent power of God over all things. But the same person was man too, and 'tis from that formality the Pope claims; for suppose 'tis no less impiety to affirm, that what belongs to the Divine Nature is not communicable to any to whom that Nature is not communicated, then 'tis to deny of the Divine Nature that which truly belongs to it. And this *Bellarmin* well understood when he argues thus: *Christ as man while he liv'd on Earth neither had nor would have Dominion merely temporal over any Province or Town: But the Pope is the Vicar of Christ, and represents Christ to us as he was while he liv'd amongst men; Wherefore the Pope as Christ's Vicar, and consequently as Pope, has not Dominion merely temporal over any Province or Town.* Speaking now of Christ precisely as Man, those who attribute temporal power to him, and make him a secular King, go one of these two ways. They either alledge right of Succession by descent from *David*, or a particular grant from God the Father, in whose power it being to dispose of all Kingdoms, they affirm he has transfer'd this Right upon his Son as Man. Of these two the first is hard to prove, and in my opinion signifies nothing when 'tis prov'd. The descent indeed of Christ from, and that by two several branches is recorded in the Gospel; but descent gives a title to none but the nearest of the descent, and that Christ was the nearest, is so far from appearing, that I know not how it possibly should. 'Tis true, that *Solomon* and his Posterity Reigned to *Jeconias*, but of him the Prophet, *Hier.* 22. 30. Foretold there should not be of his seed a man who should sit upon the Throne of *David*, and have power longer in *Juda*: So that the Succession of that Regal Line of *David* seems ended in him. 'Tis true *Zedechias* or *Mathanian* Reigned 11 years after him, who was not  
of

*De Rom. Pont.*  
l. 5. c. 4.



of his seed, for he was his Uncle; but from him to *Aristobulus* of the Race of the *Machabees*, who first reassum'd the Regal Diadem, there was not any King at all amongst the Jews. That *Nathan* or any of his Posterity, either Reign'd or had right to Reign nothing appears, and much less that Christ was the nearest of the descendants from either that or the other branch. In so much darkness I think 'tis evident there can be no clear title. However I conceive another thing is clear, which, even supposing that Christ were next in descent to *David*, would quite take away all Title to his Kingdom, and that is, that in his time the Kingdom was legally and justly translated from the Family of *David*, to the *Asmoneans*. For certainly to affirm that the *Machabees*, and their Successors, who with excellent vertue recover'd the lost Scepter, and settled it in their own Family, were all Intruders and Usurpers and Tyrants, would be a wild and preposterous assertion, and such an one as would unsettle all the translations of Empires which concur in the course of History, whereof few perhaps have been made with greater vertue or more justice. What King can be secure of his Title if the *Asmoneans* were no Rightful King? And if they were, descent from *David* gives Christ no more title to the Throne of *David*, then Signior *Paleologo* (far be all irreverence from the comparison) has to the Empire of *Greece*, or Goodman *Plantagenet* to the Crown of *England*. A title therefore by descent seems very hard to prove, but though it were prov'd, I think there is so little got by the bargain, that it might have been e'en as well let alone. For right to the Kingdom of *David* is but right to the Kingdom of *David*, and I suppose the Pope will not agree to have his Authority confin'd to the *Ghetto* at *Rome* and be put to the trouble of Assembling the dispers'd *Jews*, that he may have over whom to Reign, and wringing out the ancient Kingdom of *David* from the present Possessors, that he may have where to Reign. He knows well enough the strength and stability of long possession, and I dare say will not change his spiritual title at *Rome*  
for

for the best and fairest temporal title which can be made him to *Hierusalem*, and where else the right of *David* can give him any interest, 'tis hard to imagine.

The other Plea is a Grant from his Father, who may undoubtedly dispose of Kingdoms, and every thing else as he pleases. But his usual way of giving Kingdoms is to put those to whom he gives them into actual possession by Election, Succession, the Sword or other secondary means. To give bare titles without other fruit is a course not suitable to the method of his proceeding. Lawyers indeed have invented a distinction betwixt the Dominion and *usus fructus* of a thing, and the distinction is useful here below, but I suspect distinctions are strangers in Heaven, and that plain dealing providence deals little in *Chican*. However it be, being resolv'd not to penerate into the depth of the question my self, I shall onely observe to you what people say on both sides, and leave you to judge. This short reflexion by the way I suppose I may irreprovably make, that if the Father made any such grant, the Son was not ignorant of it. And if he knew such power was given him, and yet refused to use it, I perceive not how he will be excus'd from the blame of not doing what belong'd to him to do. A King certainly is as much oblig'd to govern, as a Subject to obey: and since 'tis manifest blasphemy to say Christ was deficient in any point of duty, this in reference to my dulness is unavoidable, Christ did not perform the duty of a temporal King, therefore he was no temporal King. But these are onely my thoughts by the by, what people say on both sides is this. Those who would have Christ a temporal King, alledge in proof these places of Scripture which speak of his power in general, and expressly apply the name of King to him in particular. Such as Heb. 1. 2. *Whom he made Heir of all things, by whom also he made the Worlds*, Heb. 2. 7. *Thou hast Crowned him with honour and glory, and set him over all the works of thy hands. For in that he subjected all things, he left nothing not subject to him*, 1 Cor. 5. 24. *When he shall have*

have evacuated all Principality and Power and Vertue, Mat. 28. 18. All power is given me in Heaven and in Earth, Jo. 23. 3. Knowing that the Father had given all things into his hands, Jo. 5. 22. For the Father judges no man, but has given all judgment to the Son; he has given him power to judge, because he is the son of man, Apoc. 17. 14. They shall fight with the Lamb, and the Lamb shall overcome them, because he is Lord of Lords, and King of Kings. And again 19. 16. And he has written in his garment and on his thigh, King of Kings and Lord of Lords. Isa. 33. 22. The Lord is our King, he will save us. Psal. 2. 6. I am made by him a King over Sion his holy hill, and a great many more of the same nature. These say they and the like places, are both plain in themselves, and plainly expounded of a temporal regal power by the Fathers. To which purpose they bring Theophylact expounding that to the Heb. whom he made Heir of all things; that is, made Lord of the whole World; but how did he make him Lord? Namely as man, in the second Psalm he speaks to him, Ask of me and I will give thee the Gentiles for thy Inheritance. And St. Anselm upon the same place; Whom the Father appointed according to the humanity the immutable Heir of all things; that is, possessor of all creatures. And Haymo upon the same place too; God the Father appointed his Son Heir of all things, that is of the whole World or all creatures, not onely according to the Divinity in which he is coeternal to his Father, and coequal in the Omnipotence of the Deity, and in which he eternally possesses all things with his Father; but rather according to the humanity assum'd by the word he is appointed Lord and Heir over all creatures, as God the Father promis'd him saying, Ask of me, &c. And the Son himself rising from the dead, speaks thus in the person of the humanity; All power is given me in Heaven and in Earth. Eusebius Emislenus; He who according to his Divinity had alwayes with the Father and Holy Ghost power over all things; now also according to his humanity has receiv'd power over all things as Man. He who lately suffer'd let him Rule both in Heaven and in Earth,

L. 2. Cont.  
PAYMEN.

and be believed the God and Lord, not of the Jews only but of all Nations. Optatus against the Donatists: why do you break such a promise, and confine to a kind of Prison the vast extent of Kingdoms? why do you strive to hinder so much goodness? why are you against our Saviours merits? Permit the Son to enjoy what was granted, permit the Father to perform what he promised: why do you set bounds, and fix Limits, when the whole Earth was promised by the Father? There is not any thing in any part of the Earth which seems exempt from his Possession. The whole Earth with its Nations were given him. These and the like places are the chief supports of the affirmative opinion; for I omit their Reasons, not onely because a man who were strongly bent upon it, may invent specious pretexts almost for any thing, and they seem to me no other, but because I take questions of Faith not properly to belong to the decision of meer Reason. I mean in this manner, that People should rashly determine by their ill grounded reasonings, what is fitting or not fitting for God to do. We are to learn of our Fathers and the Church what he has done, and not by airy speculations determine what he should do. If this Doctrine hath been delivered to our Fore-Fathers, we shall sure enough receive it from them; but if we do not, it will hardly belong to Faith, even though it could be proved true. In the mean time, those who maintain the negative, bring particular Answers to all these places, the substance whereof devolves to this, that the Kingdom and Regal power attributed to Christ in the Scripture, is to be understood of his Spiritual Kingdom the Church, unless where his person is spoken of as comprehending the divine as well as humane nature, in which Cases, Regal power, and all that can be attributed to God, may justly be affirmed of him. Twere to write a Book instead of a Letter to dilate them all particularly, and when all is done, this is the substance: But then on their side they alleadge Scripture and Fathers, in my opinion much more convincing. And first they affirm the question is expressly and plainly

plainly decided by Christ himself, *Joh. 18. 36.* When being askt by *Pilate* if he were a King, he denies it not, but withal affirms his Kingdom is not of this World : And methinks people might take his word, and cease to dispute of what he so plainly determined, for I cannot think otherwise but this Answer meets the difficulty in the Face, and so reserves whether the right of omnipotence or spiritaal Regality, as very positively to exclude Temporal power. They alledge again *Luke 12. 14. Who has made me Judge or Divider betwixt you?* Our blessed Saviour was moved by one who heard him, and perhaps believed in him, to cause one Brother to divide an inheritance with the other. And he not onely refuses the motion, but says in a phrase usual in Scripture of denying by interrogation, it was a matter in which he had nothing to do. Now if Christ were truly a Temporal King, 'tis hard to imagine how rendring Justice to his Subjects, who demanded it at his hands, and determining emergent Controversies, in which the very Office of a King does in a great measure consist, should not belong to him. I have nothing to do with Possessions, and I am no Temporal King, to seem equivalent. They alledge besides, *Jo. 6. 15.* where Christ perceiving the multitude were resolved to make him King, fled from them and hid himself. Put him to have received temporal Dominion over all the World from his Father, and 'twill be hard to unriddle why he used it not in this occasion. His Subjects more disposed to obey him, they were willing, they were forward to do their parts ; what can be said why he did not do his, and govern them ? I said before, and I cannot but repeat it, 'Tis as much the duty of a King to govern, as of Subjects to be govern'd ; and I cannot for my life imagine any other reason, why he should refuse to govern, then this, that he was no temporal King. If it may be permitted me to speak freely, this position of temporal regal Power in Christ seems to me to include both nonsense and blasphemy. For Nonsense it is to put a Power in



him to no purpose, an useless Metaphysical *potentia* never reduced into Act; and blasphemy it is to say he was deficient in his duty: and how that position will get clear of either of these absurdities, I can by no means understand. Other places of Scripture they bring, but these are the most material. Now because a Catholick cannot be a Catholick, who maintains a position directly contrary to Scripture, for neither he nor his position would be endured, those of the other side have invented several Senses which they give to the places alledged; and though those Senses seem to me full of Nonsense, yet I cannot but commend in the Authors that they chuse rather to contradict common Sense, then Scripture. But do you Judge; *My Kingdom is not of this World*, that is, say they, *'tis not by way of Election or Succession, nor governed as worldly Kingdomes are by Treasuries, and Officers, and Armies.* To omit that a Kingdom of this World, though received and governed another way then usually Kingdomes are, is still a Kingdome of this World, for the World is the World let it be goverued how twil; this seems to me to say that the Kingdom of Christ is no Temporal Kingdom. For temporal Kingdoms can not subsist nor go on without such things; and he that says his Kingdom had them not, says plainly his Kingdom was such a Kingdom which needed none of those things. Which in other words I think is to say it was not a Temporal Kingdom. Again, say they, *the Kingdom of Christ is therefore said not to be of this world, because at that time most worldly Kingdomes were got by injustice, and governed by wicked and idolatrous Laws, and such the Kingdom of Christ was not.* But pray, the Kingdomes now a days establisht with Justice and governed with equity, are they not Kingdomes of this World? Or did *Constantine* forfeit his worldly Empire, by abolishing those Idolatrous Laws, and making better in their places? Strange Interpreters of Scripture! Who would make worldly Kingdoms inconsistent with virtue

tue, and Kings cease to be Kings when they turn good men and most deserve to be so. Besides, if the world were divided into Kingdomes, however unjustly got and wickedly governed, 'twas yet divided into Kingdomes, and what Room was then left for Christ? Would they have him a King, and give him no Kingdom, or a Kingdom no where? Farther what can be said why he did not establish his just Kingdom in the place of those wicked ones, and take so much injustice out of the World? I think nothing but only this, that his Kingdom was of another nature, made to take away injustice from all, Dominion from none. I say nothing of the impertinence of alledging injustice in the beginning of Empires, a position which would shake the Foundations of the most settled Governments, and leave few Princes secure of their Titles. A third answer is, that his Kingdom is not of this World, because *not onely of this World, but of Heaven and Earth and all Creatures*, as if this World and more were not this World. Besides it mistakes the question too, which is not of the extent of his Power, to which every Body knows that every thing is subject, but of the manner, whether besides the omnipotence of his divine nature, and the spiritual Regality of his humane, there were in him a Temporal power, and he were appointed by his Father as *Saul* to judge the People, and go before them, and fight their battles. This is what the Scripture tells us People expect from their Kings, and who speaks not to this speaks not to the question. Farther they say that Christs Kingdom is not of this world, because *worldly Kingdomes are over Bodies, his over Souls; worldly Kingdomes require obedience to a Temporal Prince, his knowledge of, and obedience to the Prince of Heaven: worldly Kingdomes are extinguish'd by death, or War &c. his is perpetual and immortal, &c.* And this is to say as plain as can be said, that 'tis spiritual and not temporal. For Temporal Kingdoms are over Bodies, and

1 Reg. 21. 8.

and if Christs Kingdom be only over Souls, 'tis not temporal; again 'tis not temporal if it can not be extinguish'd, for no temporal thing is immortal. Farther to contra-distinguish the temporal Prince from the Prince of Heaven is directly to yield the question and change sides: That prejudice should be so strange a blindness, and men think to answer by saying the very same with their Adversaries! To that of the division of the Inheritance, they answer that *what Christ refus'd was to be made Arbitrator betwixt the two Brethren.* But besides that, to understand the place of Arbitration seems a little violent; for Arbitration requires the Consent of both Parties, and there appears nothing but the complaint of one against the injustice of the other. His answer imports, that meddling with Inheritances was a thing with which he had nothing to do, and that, whether he thought fit or no to become an Arbitrator, temporal Matters belonged not to him. Again they say, his signify'd *he was no Ordinary Judge, whose Duty and Obligation it was to determine civil Controversies, but that his Jurisdiction was Voluntary and Arbitrary:* And if this be not to say he was not a temporal King I understand nothing; for a temporal King, is oblig'd by his Office to do Justice and determine civil Controversies, and his power is not Voluntary and Arbitrary, but Coactive and Obligatory.

Thirdly, They answer, that *Christ meant his judicial power was not by humane concession;* as if he could not have done the business as well by Authority from Heaven as from Earth, and had not been that way more empowered, and more oblig'd to perform his duty.

Fourthly, That *Christ came not into the World to judge temporal things, though he had full power so to do;* which is just what the other side says, that he was not sent, or empower'd by his Father for that purpose, though as God he might do what he pleas'd. What a pleasant folly this unresolv'dness to maintain a thing is, which makes people

ple bring for answer the very position they propose.

Lastly, He is said to have refus'd dividing the Inheritance, because Division is the work of the Devil. Division of hearts indeed is so, but division of possessions is a work of peace, and a necessary means to Union of hearts; 'tis a command from God, and a duty in Kings.

This is chiefly what is said on both sides; you will judge as you see cause. I for my part believe none better acquainted with the truth than Christ himself, and I mean to take his word and believe his Kingdom is not of this World, and I care not who knows it. If I mistake his meaning, and that the Kingdom which he says is not of this World, prove yet to be a worldly Kingdom, I shall at least have the comfort to err in very good Company, and good Company you know is a thing I love sufficiently. St. Cyril of Alexan. speaking of the Hyacinth in the Mytre of Aaron; *The Hyacinth* says he, *signifies Heaven*; remember therefore Christ saying my Kingdom is not of this World, for Christ is not an Earthly, but a Heavenly King, and has all creatures under his feet, St. John Chrysostom; Christ, says he, acknowledges himself a King, but a Heavenly King; which elsewhere answering Pilate, he says more clearly, my Kingdom is not of this World. And in another place, Scripture knows two Kingdoms, one of Adoption and Familiarity, another of Creation by the Law of Making and Creating he is King of all, Jews, Pagans, Devils, Adversaries; by familiarity and care (he is King) of the Faithful, and those who willingly commit and subject themselves to him. This Kingdom too is said to have a beginning; for of this in the second Psalm, Ask, says he, of me and I will give thee the Gentiles for thy Inheritance: and to his Disciples, all power is given me by my Father. St. Hierom. shews the prophecy concerning Jeromias was not contrary to the promise of the Angel, because, says he, *Jeremy speaks of a temporal and carnal Kingdom, Gabriel of a spiritual and eternal*

*De ador. in  
spir. l. 11.*

*Hom. 87. in  
Mat.*

*Hom. 39. in  
1 Cor. 15.*

*In Hierom.  
c. 22.*

Tr. 115. in  
Joan.

T. act. 25. in  
Joan.

eternal one. St. Austin; Hear you Jews and Gentiles, hear Circumcision, Prepuce hear, hear all you Earthly Kingdoms, I hinder not your Dominion in this World, my Kingdom is not of this World. And again, What would you more? Come to the Kingdom which is not of this World; come by believing, and be not cruel by fearing. The prophecy says of God the Father, but I am appointed by him a King over Sion his holy hill: But that Sion, and that Hill is not of this World. For what is his Kingdom, but those who believe in him? To whom he says, you are not of this World, as I am not of this World, &c. Again, It is plainly said of the Kingdom of Christ, not according to that in the beginning, where God the Word was with God, for there none ever doubted but he is King for all Ages, but according to the Assumption of Humanity, and Sacrament of Mediatour, and Incarnation of a Virgin, that it shall have no end; where the Angel speaking to Mary says, and he will give him the Kingdom of David his Father, and he shall Reign in the House of Jacob for ever. — But this Kingdom in the House of Jacob, and on the Throne of David, can it be understood otherwise then in the Church, and that People which is his Kingdom? of which also the Apostle says, when he shall have deliver'd up his Kingdom to God the Father, that is; brought his Saints to the Contemplation of his Father. And L. 17. de Civit. Dei C. 7. Speaking of the passage betwixt Saul and Samuel, when Saul tore the Cloak of Samuel: He represented figuratively the people of Israel, which people were to lose their Kingdom, our Lord Jesus Christ by the New Testament being to Reign, not carnally, but spiritually. And what says he, was not he a King who fear'd to be made a King? plainly he was, but not such a King as could be made by men, but such a King as could give Kingdoms to men. — He came now not to Reign now, as he will in that Kingdom of which we say, let thy Kingdom come. He alwaies Reigns with his Father, according as he is the Son of God, the Word of God, the Word by which all things are made. But the Prophets foretold his Kingdom also according to this, that he



he was made Man, and made those who believe Christians. For there shall be a Kingdom of Christians, which is now a gathering, now making, is now burying with the blood of Christ. This Kingdom will one day be manifest, when the brightness of the Saints will be manifested after the judgment by him made, which judgment he said before that the Son of Man should make: Of which Kingdom also the Apostle saith, when he shall have deliver'd up his Kingdom to God his Father: Whence also he says himself, Come you blessed of my Father, possess the Kingdom prepared for you from the beginning of the World. But his Disciples and the multitude believing in him, thought he came now to Reign. This is for them to take and make him King, to prevent the time which he kept secret to himself to declare seasonably at the end of the World. St. Hilary; *In Psal. 2.* This therefore is the King set over Sion the holy hill of God, declaring the Command of the Lord, not over that hill of the Earthly City, that deplor'd, and homicide, and parricide Jerusalem but that Jerusalem, which is in Heaven; that which is our Mother, the City of the great King, whose Inhabitants, as I conceive, those at this day are who rose in the Passion of our Lord. St. Bernard; That our Lord *Hom. 4. sup.* Jesus was descended from David, no man doubts: But I *Mis.* ask how God gave him the Throne of his Father David when he Reign'd not in Jerusalem; nay, consented not to the multitude which would have made him King; besides protested to the face of Pilate, my Kingdom is not of this world. — But we know a Jerusalem was signified different from that which is now, and in which David Reign'd, much more Noble and more Rich, and this I conceive was meant here, by a manner of speech usual in Scripture, where the Sign is often put for the thing signify'd. God did then give him the Seat of David his Father, when he was by him made King over Sion his holy hill. And he seems more plainly to declare what Kingdom it is of which he speaks; by this that he says, not in Sion, but over Sion. For peradventure it was therefore said about, that David Reign'd in

Sion, but his Kingdom is over Sion, of whom it was said to David, of your seed I will place upon your Seat. Of whom it was said by another Prophet, He shall sit upon the Throne of David, and over his Kingdom. You see 'tis every where over, or upon. Over Sion, upon his Seat, upon his Throne, over his Kingdom. Our Lord God therefore will give him not the typical, but the true Seat of David, not a temporal, but an eternal, not an earthly, but an heavenly one. — Farther, And he shall Reign in the House of Jacob for ever, and of his Kingdom there shall be no end. Here too, if we understand the temporal House of Jacob, how shall he Reign for ever in that which is not for ever? We must therefore seek an eternal House of Jacob, in which he may Reign for ever, of whose Kingdom there shall be no end. St. Anselm, according to this that the Word was made Flesh, he began to Reign in Believers by Faith in his Incarnation.

This in my Opinion (for I intend here to end, and think I have done pretty fair for a Letter) speak much more to purpose then those alledg'd on the other side, who talk of Christs power in general, and at most according to his humanity; but what kind of power he had they express not; the extent of his power, which no body denies, they assert very plainly, but are silent as to the quality of it, which is the thing in question: Whereas these positively declare it not to be carnal, and temporal, and earthly, but Spiritual and Divine. They tell us plainly besides what his Kingdom is: namely, the Faithful, his Church, and the plenitude of Saints now a gathering, and to be compleated in the Resurrection when he shall deliver his Kingdom to his Father: For my self, though I have enough declar'd my Opinion; yet I declare withal I mean not to tie you or any man to it. Neither do I believe those who are of a contrary judgment will be convinc'd by what I have said, neither did I go about to convince them. My business was to satisfie you, not to dogmatize. And I hope you will

will perceive your Argument so answer'd, that if those unquiet Spirits of fear and diffidence continue still to haunt you, the blame is not to be imputed to me. Of two propositions which you assum'd to fix a power Paramount in the Pope upon our Faith; I have shew'd a Catholick may safely deny either of both. 'Tis at his choice to take either way, and any one does his business. If he will deny a temporal Regality in Christ, the difficulty is cut up by the root, since a Vicar can not with any shadow of pretence challenge more then was in the Principal himself. If not willing to meddle with that question, he will take the other way, and affirm that whatever power Christ had, he left only Spiritual to *Peter* and his Successors, the difficulty is as fully cleared. A Catholick, take my word, may unreprouably hold either or both, and that you may have better security against your fears then my word can give you, I have shewed you both maintain'd by those whom Catholicks are not permitted to reprove. If all this be not enough to quiet your suspicious, let me add, that if you consider well, you will find that of all men the Principles of Catholicks can least endure the contrary Doctrine. Ask of your Fore-fathers, walk in the ancient Paths, avoid novelties and the like, are *Maximes* so known and universally receiv'd amongst them, that who is known to contradict them, is known so far to swerve from the acknowledged grounds of Catholick Religion. Now when the authority of unquestionable antiquity is of the one side, and on the other, that of Authors both late and few, and of no extraordinary credit, a Catholick who knows what he does, can so little doubt which part to take, that I think he is not excusable if he so much as doubt, or at least not otherwise, then as zeal is excus'd by blindness. None have that veneration for antiquity, and Fathers, which Catholicks pretend, for they look upon them as the men who have begot them in the Gospel, from whence they give them the name of

Fathers, as the most considerable Pillars of the Church, as the principal Persons on whose attestation the Rule of Faith and Stability of Religion depends. After the sacred Books of Scripture written by Divine Inspiration, to which no writing of Man can be equall'd, nor so much as compar'd, we Reverence in the next place the Writings of the Fathers, which we think useful too, and the most useful of any to the understanding of the Scripture, of which we hold them the best Interpreters. We universally blame those of other Communions for preferring the obscurity of private interpretations before the clear light of Tradition. And all these things are known and acknowledg'd by every body: Wherefore since the great Lights of the Church St. *Agustin*, and St. *Hierom*, and St. *Cyril*, and St. *John Chrysostom*, and St. *Bernard*, and the rest shine clearly out, and with a joint consent unanimously conspire into the same Doctrine, none are so blamable as Catholicks if they oppose it. And such men as *Comitolus* and *Sermarius* and the like put into the contrary ballance weigh so little, that tis shameful even that they should enter in. The truth is, the world goes otherwise then sharp-sighted men would think it should or could; else tis not easie to conceive how it should be possible there should be found amongst those of our principles, who should stand in opposition to the Fathers. All that can be said is that worldly policy sometimes makes a little too bold with Christian simplicity, and that preposterous zeal is very blind, and therefore a very dangerous Guide. And I shall take the liberty to tell you that understanding Catholicks, who consider the way they take, see, if it were followed in other things, it would mine Catholick Religion; and that the men indeed, perhaps by the priviledge of well meaning ignorance are Catholicks, but the way is not a Catholick way. Thanks be to God there are not many who walk in it, and those who do, I believe consider not what they do. For sure I am that knowingly to sleight

sleight the Reverence due to Sacred Antiquity, and set up new Masters in opposition to the Fathers of Christianity and Doctors of the Church, agrees very ill with a Catholick Spirit. In fine, as men will be men, and God must make the World another thing then it is, if we expect that all should do as they ought, you will find among Catholicks some who hold the contrary Opinion, but none who hold this reprobable. And this I say the more confidently, because I mistake very much if it be reprobable even amongst the Jesuits themselves; who yet are thought the greatest Favourers of the Papal power. At least I know they cannot reprove it, without reproving their own best and most famous Authors. Read *Bellarmin. de Rom. Pontif.* the fourth Chapter of the fifth Book, and *Maldonat.* upon 27 *Mat.* and see if they do not both expressly hold and strongly prove the Doctrine of the Fathers, and so far that the latter says people would make Christ a temporal King whether he will or no, &c. against his express declaration, and that before a Court of Justice. They are too long to be transcribed. But if you take the pains to read them, since that is safe enough from being reprov'd which there is no body to reprove; I hope your suspicions will be at quiet. However I think it but seasonable that I should, and be permitted after so long a journey to rest

*Yours, &c.*

## FINIS.

### ERRATA.

Page 3. line 13. read particular. l. 36. r. were. p. 7. l. 5. r. you cite. p. 8. l. 1. for be. r. his. l. 5. r. interfere. l. 32. may, r. my. p. 10. l. 37. r. no extraordinary. p. 17. l. 29. r. the Servants ear. p. 18. l. 26. r. because he desired. l. 33. r. yet he gave. l. 35. r. Rabanus. p. 21. l. 6. r. dogmatically. l. 9. r. any principle. l. 11. r. his side. p. 22. l. 8. r. suppose. l. 28. r. branches. p. 23. l. 22. r. Kings. p. 24. l. 16. r. penetrat. p. 27. l. 22. dele to. l. 28. r. were disposed. p. 30. l. 18. r. his answer signify d. l. ult. r. resolvedness. p. 31. l. 28. r. Creation. By.



I think it but reasonable that I should, and be permitted  
 to hope your inquiries will be at least answered. However I  
 from being answered which there is no body to improve,  
 you take pains to read them, since that is the enough  
 of justice. They are too long to be criticised, but I  
 again in express declaration, and that before a Court  
 Civil is a temporary thing, whether the will of no, or  
 those, and in the case of the same people would make  
 every body and every thing the Doctor of the Law  
 according to what we see in the way to the best ex-  
 pect, the learned Chapter of the fifth book, and that  
 are most famous Authors. Read Adam Smith's Law  
 they cannot improve it without reproving their own part  
 the greatest favours of the King himself, I shall know  
 even amongst the Jews in Jerusalem; and yet the thought  
 is not enough to make any man think it to be reprovable  
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 but that all should do as they ought, you will find  
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 Right in the House and a second Assembly, and in the way

23. 10. 1907.

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*The Fifth and Sixth*  
OF THE  
**Controversial**  
**LETTERS:**

OR THE  
Grand Controversie,

Concerning

The pretended Temporal Authority  
of POPES over the whole Earth,

And the

True Sovereign of KINGS within  
their own respective Kingdoms.

Between two English Gentlemen,

*The one of the Church of England :*  
*The other of the Church of Rome.*

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L O N D O N,

Printed for Henry Brome and Benjamin Tooke, at the Gun;  
and at the Ship in St. Pauls Church-yard, 1673.

The Fifth and Sixth  
OF THE  
CONVENTION  
LETTERS  
OF THE  
Grand Convention

The pretended Temporal Authority  
of POPES over the whole Earth  
The Sovereign of KINGS within  
their own respective Kingdoms

The one of the Church of England  
The other of the Church of Rome

LONDON

Printed for Henry Bohn, 49, Strand, at the Old  
and at the British Museum, 1846

## FRIEND,



Must confess I am something better at ease, at least I know not where to fix my jealousy. I cannot say but the cause you assign may have had some influence upon me; for to hear men spoken against perpetually and universally, and not to think there is some fire to all that smoke, is hardly possible. Yet let me tell you, I think you have no great reason to complain; for, if I mistake not, you owe a good number of your Proselytes to this very cause, and believe, that of those who come over to you, far the greatest part have been wrought upon by this persuasion, That you are ill represented. When you truly are so, as I cannot deny but sometimes you are, 'tis no hard matter for you to shew it to candid people, whom nature has so disposed to favour persons wrongfully traduc'd, that this bad Idea, whereof you complain, makes you at last sufficient amends. There is such a charm in injur'd Innocence, that I am very confident it brings you in more Converts than all your Arguments. If some be hardned, others are gain'd; and peradventure fair play were more for the Interest of both sides. However it be, I acknowledge I was my self something mistaken in you, and not so well acquainted as I thought with your Religion, where things I perceive go otherwise than I apprehended. I thought there had been an Oraculous kind of lustre in this power of the Popes, which had either dazled you into a blindness of not seeing ought against it, or aw'd you into a fear of saying what you saw, if you saw any thing, and for ought I perceive you are as cleer sighted as other men, and speak bold truths as freely. I must confess we are a little out when we impute blindness to you, at least I'm sure you saw more in this particular than I. But hark you Friend! while you discourse

of one thing, my thoughts insensibly carry me to another. I begin to conceit this Tradition of yours which makes such a noise, and passes for such a bugbear, may prove less frightful than our apprehensions make it. And I cannot tell whether the Pope has not as much reason to be jealous of it as Protestants. For methinks, if that be made the Test of Doctrines, and nothing impos'd upon our belief but upon the warrant of the constantly conspiring attestation of all Ages; This deposing power of the Popes, which from its inconsistency with Civil government I so much abhor'd, must needs be excluded from the Articles of belief, and Protestants eas'd of a great deal of pains in pulling down that which your own beloved Principle pulls down to their hands. For ought I know, it may do as good service upon other occasions; however I avow to you, I am more friends with it than ever I was, and think Protestants have no reason to look unkindly upon a Principle which takes their part so much in a question of such importance. I wish with all my heart it were lookt into more thoroughly, for I mistake extremly if it would not cut off a number of those things of which we complain, and though peradventure it be no discretion to speak so freely to you, reduce things to that pass, that while you labour to bring us over to you, That very instrument which you use to that purpose, may force you over to us. But rather than such a thing should happen, I presume the Pope would disown it; and after he has us'd it as long as it would serve his turn, turn enemy to It as soon as he finds It turn enemy to him. But to tell you truly, I am something in a better humour for Tradition, because you speak of Scripture with that reverence which is fit, and which pleases me so much the more by how much the less I expected it from you. For you know how ill you hear (pardon the pedantry of the phrase) for failing in the respect due to that sacred pledge of the Divine Love, which the fear, or rather consciousness how clearly those undimable lights would discover the abundance of tares you have sown amongst the wheat of the Gospel, makes you shut up from the Vul-



gar, and exclude from the Test and Judge of Controversies. And after this, to profess they are divinely inspir'd, and that no other writings can be compar'd to them, is a thing which pleases indeed, but surprizes me too. Do you forget, or have you a mind to condemn your self? For the Spirit of God must certainly be Gods best Interpreter, and where that is to be had (as in books divinely inspir'd, the Divine Spirit must certainly be,) to seek another Judge is to refuse him now by whom we must one day be judg'd whether we will or no, and should do well not to provoke in the mean time by contempt. To tell you my thoughts freely, If you would give a little more to Scripture. than you do, and we to Tradition, I think things might be better betwixt us. For you pretend to hate Novelties, as I am sure we do; All our whole Reformation being nothing else but the rejecting what you have introduc'd. Let us have but Gods Law pure as he gave it, and free from the mixture of erroneous additions or diminutions, and we have no more to desire. And if I understand Tradition rightly, and that it signifie what *Vincentius Lirinensis* has long since delivered for the test of Sound doctrine, viz. what has been held ever, and every where, and by all, methinks you should like Novelties no more than We: for novelty and this cannot consist together, and there needs no farther confutation of novelty, but only to shew that 'tis a Novelty. Which if it be so, in the name of God how fell we out? We all know that Christ was our only Lawgiver, and that upon the observation of the Law he gave us, all our hopes of Salvation depend; that since him there has been no new Law-maker, and whoever teaches any doctrine contrary to what was taught by him is long since declar'd Anathema by the Apostle: that profane Novelties are to be avoided, and those who broach or abett them are in the words of the *Psalmist*, wicked men who tell us stories, but not as thy Law, O God: And while we both agree in this, how is it possible we should disagree in ought? and what magick is it which thus sets up Altar against Altar, and divides the seamless coat of Christ? In the darkness.

darkness of Barbarism and Ignorance, things might more easily be obtruded upon us, but in an age shining with so much wit and learning, and so cleer sighted in Antiquity, methinks it is no such hard matter to find out at least which is the Novelty, and then if *Vincemius* say true, we know without more ado which is the Truth. Seriously Friend, I am at a strange loss and cannot possibly unriddle this Mystery. But my zeal transports me, and I have almost forgot what we were talking of. To return to your Letter: It is I must confess long enough, yet I wish it had been longer, and that you had insisted a little more upon some Points there. Particularly that of the Princes power, Whether it be *immediately* from God, or only *mediately*? 'Tis true, you say what those who hold it *mediate* I conceive will have much ado to answer; but yet you say it shortly, and determine not the point. I confess it was not necessary you should; mediate or immediate was enough for your design, but not for my curiosity. And because I judge the point of importance enough to deserve a little more pains, I beseech you resume it, and shew me a little more at large that the Tenet of immediate power is unreprouable amongst you, if it be so. Another is the Spiritual power, which you say was only committed to the Pope; but what that Spiritual power is, you say not, and by that forgetfulness or reservedness, or haste of yours, leave me much at a loss. This *Spiritual* power of yours, for ought I know, may do all that *Temporal* power can do, and then we are never the near, and Princes as unsafe as ever. If their work be taken out of their hands, and they peradventure out of their kingdoms by this which you call Spiritual power, you might ev'n as well have kept the Temporal power too for any kindness you have done us. For 'tis the Power of which we complain, and whether you call it temporal or spiritual, if it be a power to do mischief, 'tis alike grievous to us. I am the more solicitous of this for *Bellarmin's* sake; and the strange descant he runs upon that plain ground *Feed my sheep*; a place he handles almost as odly, as he that on the word *Confirmavit*, made this  
gloss,

gloſs (i.e.) *Abrogavit*; This Feeding, as he orders matters, amounting to little leſs than Destroying. A Shepheard, ſaies he, has to do with Wolves and Rams, and Sheep; and Princes, as he contrives it, are all Three. If they leave your Communion, or in his language, turn Hereticks, they are Wolves, and to prevent the miſchief they may do the flock, your Shepheard at *Rome* is impow'd to drive them away by excommunication, and command the flock not to follow them, for ſheep you know naturally run after wolves; but yet I perceive no great neceſſity of excommunicating thoſe who have refus'd communion before. Then if retaining your Communion, They govern wickedly and wrong the Church by unjuſt Laws or actions, they are Rams, and your Shepheard is again impow'd to ſhut them up, and reduce them to the condition of Sheep: Weathers methinks he ſhould have ſaid, for Rams ſeem to be a kind of Sheep, and Depoſing is his way of Gelding. Laſtly, all Chriſtians being Sheep, and Princes amongſt the reſt, your Shepheard may command and force them to do their duty; and the duty of Kings being to defend the Church and puniſh Hereticks, if they fail in this, he may puniſh and force them by excommunication and other convenient means; which convenient means is to depoſe them, and turn the Commonwealth topſy turvy, and fill the Country with rapine and blood, and ſuch conveniences as War, and the worſt of wars, the Civil uſeth to produce. And all this is to feed the ſheep ſtill. In truth Friend, a little more would incline me to believe too, that the Bible is of too keen an edge for every body to manage; but I am not for all that of your Churches mind, for methinks 'twere better to keep it ſhut from the learned, and leave it to the ſimple, who at worſt would but cut their own fingers, and not their Neighbours throats. A plain man would never have found out, that feeding ſhould ſignifie putting folks into a condition of ſtarving. Fighting certainly is a new way of feeding, and ſure Chriſt did not mean his Sheep ſhould be fed with knocks. But to leave *Bellarmin* to his ſpeculations,

if

if this be what you understand by your Spiritual power, your Doctrine is inexcusable. *Cavens*, or whoever flies highest can give the Pope no more than all, and I see not that *Bellarmin* goes less. For if the Pope can command, and force Princes to obedience, and take them away, and set up others by his Spiritual power, I understand not what all the Temporal power in the world can do more. Wherefore either shew me a real difference betwixt these two Powers, and such an one as leaves them at peace one with another, and each quiet in his own sphere, or confess your Church teaches Doctrine incompatible with the security of Princes and quiet of the world, and that all you can do for her credit, is to raise a mist of words, which may serve to hide her shame a while, and steal your self from the difficulty, but when it breaks up, every body sees plain enough how things go.

*Your very humble Servant.*

**FRIEND,**

## FRIEND,



HIS is and ever will be the fate of Disputers. While they are intent upon one thing, some casual expression which they heed not, occasions a new difficulty, and that many times diverts, sometimes loses the former inquiry. You have now started new game by your reflections upon *Scripture* and *Tradition*, which, though the Quarry peradventure be as good as that we had before us, yet is not the same; And as they require as much labour and diligence, twenty to one, we shall meet with fresh game in the pursuit of them, and tire our selves with variety of change and catch nothing. Permit me therefore to refer you for those points to those Writers of ours who have handled them professedly and exactly. The Objections are so ordinary and so often answered that truly I expected them not from you, and doubt while you so much lay to heart what is said against us, you consider little what we reply, which methinks is not so agreeable to your candour. Otherwise 'tis easie to meet with information of what we say to those things. But for your fears the Pope will not suffer us to stand to *Tradition*, let me briefly assure you they are vain. The Church has stood almost seventeen ages by it, and we shall not leave it till we have a mind to leave the Church. Popes are not the men you take them to be. 'Tis true they are men, and that a mixture of worldly considerations should sometimes enter into their counsels, cannot be expected: but for all that they are good men, and so good, that you will not often find Princes more vertuous. It is so far from entering into their thoughts to assume to themselves things prejudicial to the Church, that on the contrary 'tis the good of the Church which has been pretended to



gain admittance for these things which indeed are prejudicial, but which if they had not been thought otherwise had never gain'd admittance. And if you think He who owns himself *Father of the Church* will not rather cast off these pleasing flatteries, when he discerns them to be so, than hazard the good of the Church, allow him yet to understand Policy, and have wit enough to perceive that his well-being depends upon the well-being of the Church, and the constancy of his power, and greatness, and whatever you envy him for. Take away the Church, and He is nobody. O Friend! could that clear light of yours look upon things without the Spectacles of *prejudice*, and consider the office without the *impossible* to be avoided faults of some persons, you would peradventure wonder at the aversion you have to a thing, so beneficial to Mankind, that the Divine Providence has left us few more signal testimonies of his constant care over us. At least for my part, I cannot but find my self obliged to a grateful acknowledgment of His love to the Church, as often as I consider he has appointed one whose office and duty it is to take care of her good, and placed him in such circumstances that to the efficacy of vertue and a good Conscience, Interest and the preservation of his own Concerns, and those great ones, and all the considerations which sway with men, are added to make him execute this Office well. A Common *Father* of Christendom, obliged by Conscience and interest to procure the good of the whole, and disabled by want of the Material Sword which is committed to Princes from doing any great harm, (Power disarm'd you know, cannot be much mischievous) is so great a good, that if the wisdom and goodness of God had not provided it for us, I am confident those who love Christianity would have wisht, and perhaps, fruitlessly endeavour'd to have set it up themselves.

But let us suppose the Popes as bad men as you will, suppose them to design the destruction of the flock they have undertaken to feed, to be careless of the place they hold in this world, and the account they are to give in the

the next; suppose them wicked, senseless and mad, To make the Church abandon *Tradition* is a thing beyond all the plenitude of His power. Hopes of happiness, and Fear of misery; Love to posterity, and the Force of Nature, and Inclinations of Mankind, are things too deeply imprinted to be subject to any Awes or violence. But I have no intention to meddle with Controversie, wherefore pray take it well that I refer you for more satisfaction, if you desire it, to those who do.

Then for the Reverence, which from the natural dictate of my thoughts, you find in my unheeded expressions concerning *Scripture* you wonder at it, and I more wonder at your wonder; Yours I say, who, if I mistake not, use not to give your self blindly up to the conduct of other mens Prejudices; but desire first to see Reason, and then to follow it. In the name of God what have Catholics ever said or done, that you should fancy them to have less respect for Scripture than is due to it, or than other men have. We hear ill indeed as you say; but alas! 'tis because other men speak ill. Sure I am, 'tis we preserv'd the Scriptures for fifteen hundred years, and if we had not, you had not had them to have reproacht us withal. You receiv'd them from us, and 'tis by our Attestation you know there are Books of Divine Inspiration; and which they are, otherwise I know not where you would have had them, nor how have known them. If you think we read them not, and take no care to understand them; examine vvell the several Expositours, and see if the Protestants equal the Catholics either in Number or Learning. *But we keep them seal'd up from the Vulgar; and this for fear those cleer lights should too plainly discover the brackes of our Doctrine.* I know not how charitable you think that Comment, but I am sure I find it very irrational. If they be against us in *Latin* 'tis a wise piece of policy, a deep reach of subtle craft to keep people from reading them in *English*; as if you had not Learning enough to urge them against us in *Latin*, or we to understand you unless you spoke *English*. But thus stands the Case, whoever

understands Latin needs no permission to read the Scripture, and vvhho does not may have it for asking, provided he be not of the number of the unlearned and unstable, who deprave them to their own perdition. Such there were in *St. Peter's* daies, and vve have but too much cause to fear the number is greater now; and if you think that to hinder the Perdition of men be to vvant Respect for Scripture, you may think as your Charity and Judgment serves you; but I think vve shall endeavour to shew ours by procuring their Salvation. The truth is, vve do little more in that particular than the Law, I think, still in force, obliges you to do. Look into the Statute, *Hen. 8.* and see vvith vvhat limitations the Reading of the Bible is permitted. If you observe them not, we indeed are more obedient to our Laws, than you to yours; but the Laws of both are much alike: for all this vvhile numbers of you read the Scriptures, and shew your respect to them in contempt of the Law, vvhich is a fine kind of respect. *But we refuse them for the Judge of Controversies.* Conscience, say you, that they would give sentence against us. Methinks men vvho impute vvant of Charity to us, should be a little more vvary in making such Constructions of things. But I beseech you, What do you mean by *Judge of Controversies*? If no more but this, that vvhatsoever is contained in those Sacred Books is Truth, and Truth divinely inspir'd, and such as ought to be receiv'd by all vvith a submission so absolute and entire, that no Authority on Earth is permitted to oppose or question the least title of it, and that, vvhen of any point in Controversie, or not in Controversie, the verdict of Scripture appears, there is no more to do, but immediately leave off disputing, and receive it vvith the reverence and submission due to Divine Oracles. If this be all you mean, as I think it is, What Catholic ever deny'd, or question'd, or doubted of it? We hold him neither Catholic nor Christian that does. And as little as you think our Vulgar people acquainted vvith the Scriptures, I believe you vvill find few, vvho knows not thus much of them. Whether all this makes the title

of *Judge* belong vvith propriety to Scripture, you may, if you please dispute vvith our Controvertists. But for the substance of vvhat vve hold, if this vvch I have exprest be that vvch you hold, Catholics hold the same, and as fully and as firmly. I conceive, vvhen you affirm, and we deny Scripture to be the Judge ( peradventure it might have been more proper to have said, *Rule*) of Controversie, vve mean not the same thing. For since all the excellent Prerogatives belonging to that Book, hinder it not from being, a Book; and a Book must be made up of Words, and Words, and vvhat is signified by the Words, are different things; vve think it may be permitted us, vvithout contempt of Scripture, to think that difference is found in the Words of Scripture; as well as in all others. For certainly to forfeit our Reason is a very preposterous kind of respect. Now as far as I am acquainted vvith Controversie, I conceive that when we deny it to be the Judge or Rule of Controversie; we mean the Words abstracting from the Sence; and when you affirm it is, you mean the Sence abstracting from the Words: For methinks, you should not hold your selves, or pretend to perswade us, that material Sounds, or stroaks of the Air, or Lines drawn by a Pen, are that very Word of God to which so much Respect is due: especially when after so long a course of time, vve have not the Original Words neither; at least that vve know to be such, vvch the first Pen-men us'd; but Translation upon Translation, and such variety of Copies, that there is no small difficulty in the choice. Pray enquire, and satisfie your self, vvwhether this be not the truth of the business; for if it be, I see not that you give more to the Words than vve, and that vve give as much to the Sence as you. For nothing can be plainer than that this Position, *The Sence is the Rule*, is no contradiction to ours, *The Words are not the Rule*; vvch two are so far from irreconcilable, that they have no opposition, and may, for ought appears in the Terms, be both true. The Terms in vvch the Controversie is stated, *Scripture is, Scripture is not the Rule*; are indeed contradictory; but

but what we mean by these Terms has no opposition. For you mean that the Truth contain'd in Scripture, is without exception, to be indisputably believ'd by all; so that no Authority, whatever it be, on Earth, whether Pope or Church, can pretend any way to be exempted from entire submission to it; and this no Catholic denies. We mean the Words of Scripture, because we see them daily wrested to several Sences, are not alone able to give us certainty which the true Sence is. And this I conceive no Protestant bound to affirm. For you consult the Fathers in difficulties where you are unsatisfi'd, and by their Authority either find, or justify the Sence in which you understand the Words. Wherefore 'tis very evident, that we deny not what you affirm, and you affirm not what we deny, and that our only contradiction in this Point, is the Contradiction of Words which we both so understand, that there is no contradiction in what we mean by them. For you say, We must believe what Scripture saies; and we say so too, We say, we cannot sufficiently know by the bare Words alone, what Scripture saies, and we must believe; and you, I think, say not the contrary. Rule then with you, signifies Rule of Belief; or that which is to be believed; with us, the Means by which we must know what we are to believe. Which two are as different as may be, yet both being confounded in the same word *Rule*, make a shift with the assistance of the peevish animosity, and stiff crossness of our unhappy times, to keep us still at odds, and expose us to the reproach of being disrespectful to Scripture, for denying it to be the Judge or Rule of Controversie, when all the while we agree to what you mean by *Judge of Controversie*. *Hec quantum est in rebus inane!* In short, give us the true Sence of Scripture, and if we submit not to it, with all the ready Obedience due to it, you shall not need to condemn us: Our public Professions, besides the self conviction of Conscience, will condemn us to your hands: but if we refuse, to accept for Gods Word, a wrong Sence of those words in which 'tis express, I think, we shew more respect



spect to the Word by desiring a true one, than those who would impose a false one. For 'tis only the True sence which is indeed Gods Word; and there is nothing farther from respect to it, than to accept a False one instead of it. Pray, when a Presbyterian Interprets Scripture to the destruction of Episcopacy; or an Arian to the overthrow of Christ's Deity, or a Socinian of the Trinity; Are you disrespectful to Scripture for rejecting their Interpretations; or they for making them? This we take to be the Case betwixt you and us, and that you offer us wrong Sences of Scripture, and then blame us for want of Respect to Scripture for not accepting them. Whereof, whatever be the truth, which I will not meddle with, this is plain, that we do no more to you, than you to Sectaries; and therefore cannot be thought to have less respect for Scripture than your selves. I have read somewhere, and I cannot but think it true, that for all these scandalous imputations, there are none who shew that true respect to Scripture, which Catholics do. For besides the Reverence we bear to the Sence, we have also an Authentic Copy of the words, to which we tye our selves, and cannot refuse in Disputation; whereas others take the liberty to fly from one Copy, and one Language to another, as best serves their turn: which a body would think, were a proceeding favour'd more of a desire to justify themselves, than Reverence to those Sacred Oracles. The truth is, the Controversie betwixt us concerning Scripture, is not about the Word of God, in which we both agree; but of the Means to know it, and that plainly shews the true Word of God is submitted to of all hands. For otherwise, vve need not much trouble our selves to find it out, or care what it said, if vve did not acknowledge it obliged us to Belief. And since you will not, I presume, say, that a wrong Sence of the material vvords, is the true Word of God, or Divinely inspir'd; all this hideous contempt, vvherewith vve are reproacht, amounts to no more, than that we will not vvilfully contradict our eye-sight, but think the vvords both may, and

and are too often wrested to vvrong meanings ; that is, that the Material vvords are not vvhat they signifie : vvhich is iust to say, A man must needs despise the Grape if he think the Bush is not the Wine. 'Tis strange an Objection of so little substance should be, or so obstinately prest, or so universally entertain'd. You too talk gravely for Company, and admonish us of refusing a Judge, to vvhom vve must one day submit our selves vvwhether vve vvill or no ; as if true desire to know his Sentence, and true submission to it vvhen vve do know it, vvcre to refuse it. I do not know vve refuse any thing of Scripture, but your Interpretation, vvhere vve think you are in the vvrong ; and I trust you vvill not say, your Interpretation is the Judge, vvho at the last day shall sit upon the quick and the dead. *But the Spirit of God is Gods best Interpreter, say you, and since that is to be had in Books Divinely inspir'd, we should seek no farther.* How prettily does this sound ? and yet, hovv little does it signifie ? To have the Spirit vvhich is in those Holy Books can mean nothing, that I knowv, but to knowv and believe the Truth contained there. And then consider vvhat vvork your zeal makes of it. This Meaning is the thing about vvhich vve differ, you understand it one vvay, and vve another. That then, vvhich is to be Interpreted is the Meaning of Scripture ; that vvhich you assign for Interpreter, is the Spirit, and this Spirit is the very Meaning. Is it possible you should not see, that this is to make the Interpreter, and the thing Interpreted all one ? That it supposes the same thing, both understood, and not understood at once ? Understood as Interpreter, not understood as Interpreted. Nay, that it makes one thing the same, and not the same vvith it self. For to Interpret, is to declare another thing, and yet this, vvhich to be Interpreted must be another, you make the Interpreter it self. Pray persist not vvith your fine Language to perswade us, that is to be the Interpreter, vvhich vvhen vve once have, there is nothing to be Interpreted : for vvhen vve once have the Meaning, vvhich you call to have the Spirit, there needs no more any

any to tell us what we know already. Again, make us not despair of an end of our differences, by assigning such a method to end them, as supposes them first ended before it can be apply'd. For the meaning being once known, there is no difference for your Interpreter to end. Besides, since while we differ, one of us has not the true meaning of Scripture, 'tis a strange method to reconcile us, to refer us to what one of us has not, nor can have while we differ. Examine not with what propriety you speak, though to be the Spirit, and to be dictated by the Spirit, seem different enough. But this is plain, that since the Spirit in the Books is to be interpreted, the Spirit interpreting must be out of the Books. And this our Controversialists will tell you is to be sought for in the Church, to whom was promised the assistance of the same Spirit with which the Books were written. And to them I refer you, if you desire to dispute the Point farther, for I intend not to meddle with Controversies. For the rest of what you say of the mystery of our disagreement, who both agree in what we would be at, both condemn novelties, and desire the Doctrine taught by Christ and his Apostles, 'tis a thing I must confess I wonder at as much as you, and can as little unriddle. *Inimicus homo hoc fecit*, is all I can say to it, and think our best remedy is to fall heartily to our prayers, and sollicite the powerfull goodness of God, to throw down at last that wall of division, whose foundation we are so far from being able to overthrow, that we cannot find where 'tis laid, nor upon what ground so mischievous a building stands.

To come then at last to our purpose, I did I confess speak but little of the first point, the Power of Princes immediately from God, and the little I said I thought was more then needed, and must think so still, it seeming to me a question of so little importance either way, that what I shall add is only in obedience to your commands, which in my opinion might have employ'd me in something more usefull. But since your curiosity will not otherwise be satisfi'd, let me tell you there are in this matter

several opinions of learned men, and all opinions only, and only of learned men, for the Church has not at all interpos'd, and I believe either the same or at least as great variety is to be found amongst you. Some hold that the Civil Power is given by God to the Community first, which afterwards chooses the form of Government most pleasing or most proper, and the persons to manage it. So that they make it deriv'd from God immediately to the whole, and by their mediation to the Magistrates. There are, who affirm as much of the Church, and say, that as God and Nature intend first and more immediately the whole then any part thereof, as sight is given principally to the man, and to the eye as the instrument by which the man exercises it, so Ecclesiastical Jurisdiction is given principally and properly to the Church; to the Pope and Bishops as instruments, and those who are to execute it. Again, When a Prince is said to have his Power immediately from God, some distinguish this word *immediately*, and granting that the Power to command their Subjects is immediately from God, which they say none denies, they affirm that to have these, and these Subjects, for example, the King of *France*, the *French*, of *Spain*, the *Spaniards*, &c. is not immediately from God, but by one of the four humane ways by which Governments are introduc'd. Election, Inheritance, Gift or just Conquest. In which, say they, the case of the Pope and Secular Prince is different, for to *St. Peter*, and in him to his Successors, all Christians of whatever Nation or quality were immediately subjected by Christ, but for other Princes obedience to them when they are Princes, is immediately commanded by God, but where and over whom they shall be Rulers, depends upon humane means. Others think this acuteness alters not the case, and say, that the Power of a Prince is one thing, and the Title which he has to this Power is another: that the Power is as immediately given to Princes as to the Pope, and that the Title so it is by humane means in both. For he has no Power but by the means of humane Election, more then Princes by Election, Inheritance,

ritance; or therest. And so they make the designation of the person to be by humane means, but the collation of Power immediately from God in both. And thus every one speaks freely as his humour or learning serves, and I for my part see not that this freedom is prejudicial any way, for while we all agree we are to obey our Princes, and if we do not, we disobey God, these subtleties, I conceive, are not much material. One thing there is, and but one that I can perceive which is of moment, and which I hinted in my former Letter, and that is, that Position, which makes the Power of the Prince deriv'd from the People, seems liable to this pressing inconvenience, that they seem not to part so wholly with it, but in some cases they reserve a right to re-assume it again, as when Princes prove tyrannical, when the line fails, and the like. And this is a mischief of which great care is to be taken; for one cannot easily find a greater. For if the People retain any Power, they must retain Judgement when to use it, and if they be Judges, when 'tis lawfull to oppose the Prince, when not, there is a gap opened to all manner of Sedition and Rebellion, or rather there can be no such thing as Sedition or Rebellion in the world, at least of the People. For when they oppose the Prince, 'tis a plain case by doing so they judge he is to be opposed, and if they be the Judges, they are no longer Rebels, but exercise a Power due to them; then which nothing can be more pestiferous, and destructive of Government, and ruinous of the advantages mankind receives by it. Of which people may think as they please, but I believe the private men are they who reap the greatest benefit by it, and are more happy then Princes whom many crossly envy, and might peradventure more justly pity. For certainly to be ty'd to perpetual labour and care, and un-intermitted sollicitude for the benefit of others, is a condition not much to be envy'd; and he, who secure of his life and fortune by the pains of other men, has nothing to do, but freely to pursue that course to which his inclination or advantage leads him, is in a condition much more desirable



Wherefore not only Princes, and all honest men with them, but all who are not stark-fools, ought seriously to joyn to the preventing a mischief so ruinous. Now as it is obvious and easily foreseen, so there are several remedies which men have provided against it. Some affirm that, when the People have once parted with their Power, and chosen to themselves a Form of Government and Governours, they part with it for ever, and have no more to do but obey for the future, without any right of intermeddling in any case with commanding; and this is pretty well, and renders the Government stable, and the Governours secure. Others think that they make all safe, by excluding the People from a capacity of being their own Judges, and reserving that Prerogative to the common Father of Christendom, who, they think, will take that care to which he is obliged for the good of his Children. But this is a little more, and in truth too much suspicious, and does not take away the harm, but transfer the power of doing right to other hands. For the same Inconveniences may be fear'd from the Pope, as from the People; especially where Princes are his enemies, as many professedly are, and all may be, even those of his own Communion. And comes so near that universal Temporal Monarchy which some have attributed to him, that I do not think that any of his Adversaries will admit it, nor that his Friends will know how to maintain it. At least for my part I do not. Others, and I think the most, both in number and Authority, take away all interposing of the People farther than to design the person as in Elections, or however they concur, but make the Princes power flow immediately from God, and so make it Sacred, and exclude both Pope and People, and all, but God himself from meddling with it. And because, this is the thing of which you desire I should discourse, to those Authorities already mentioned in my former Letter, I shall add as many more as I think may serve for your satisfaction. In the first place, those words of *S. Paul* seem decisive of the question, *Rom. 13. 1. There is no power but from God.*

For

For certainly it cannot consist with them, that Power should be from the People, or any else, but him. That exclusive word *Nisi* excludes all besides. Conformably speak the *Fathers*. Some I have mentioned before. I add *Epiphanius* Hæres. 40. You see that this *Worldly power* is by God; or rather *ordinata ex Deo*, orderly and from God, and has the power of the *Sword*, and not, &c. from any other but God to revenge. *S. Greg. Naz. de Beatid. Absolnte Empire*, and highest, full power subject to no other pleasure or dominion, belongs to Kingdoms. *Optatus L. 3. cont. Parmen.* Above the *Emperour* is only God who made the *Emperour*, &c. *Bruno Carthus. in Rom. 13.* There is no power, whether good or bad, but from God. *Hincmarus Ap. Bochel. in Decret. Eccl. Gall.* speaking of King *Lotharius*, He ought to be subject to the principality of God alone, from whom alone he could be placed in his own principality. These more ancient Authors speak all, as the *Apostle* with a phrase of exclusion, plain enough; yet later speak plainer. *Card. Cusanus L. 3. Concord. C. 5.* First, I presuppose what is known even to the *Vulgar*, that the *Imperial Cessitude* is independent of the *Sacerdotal power*, having an immediate dependence on God. *Dantes Aligh. de Monarch.* has a whole Book to prove this position, and concludes, *Wherefore 'tis plain*, that the *Temporal Authority* of a *Monarch*, is derived to him without any mediation from the fountain of *Universal Authority*. *Joan. de Parisiis de Potest. Regal. & Papal.* Both Powers proceed from one *Supream power*, viz. the *Divine* immediately. *Anton. de Rosell. Monar. part 1. p. 37.* Whence is infer'd, that *Caesar* depends of God immediately. *Theodoric à Niem. de Schism. L. 3. c. 7.* That *Empire* depends principally and immediately of God, appears by evident reasons. *de Offic. Princ. c. 5.* If the *People* were obliged to *Obedience* only in virtue of the consent to the *Prince*, their *Disobedience* would be said to be a breach of their agreement and promise; but not properly and directly of the *Divine Ordinance*, which, according to *S. Paul*, by *Resistance* is properly and immediately broken. For the *Power* which is resisted is ordain'd by God; so that now *Rebellion* ought not to be look'd upon as against *Man*, but against *God*. *Tho. Waldensis Tom. 1. l. 2. ar. 3. c. 78.* after a whole Chapter to this purpose.

pose concludes thus. *This we say that the Power of a King is only of God, given him immediately by God.* *Victoria* Relect. de potest. Civ. n. 8. *Kings have Power by Divine and natural Right, and not from the Commonwealth.* Those who write in behalf of the *Venezians*, in the Quarrel betwixt them and *Paul the Fifth*, laid this Doctrine for a ground-work, That the Power of temporal Princes, the Pope too amongst the rest, as he is a Temporal Prince, is given them by God immediately, and without exception. *Bellarmin* Answers, and reprehends that word *immediately*, but is pretty severely reprehended himself for his pains, and the expression justifi'd by the Authority of divers Catholic Doctors; as, *Navar, Durandus, Joan. Paris, Almain, Gerson, &c.* In fine he was so Answered, that he thought it better to have recourse to the Inquisition than to more Arguments, and so caused the Authours to be cited to *Rome*. But his Patrons deserted him not, and the Inquisition of *Venice* protected him against that of *Rome*, and the Doctrine remain'd not only unblemish'd, but countenanc'd by the Protection of a very wise Commonwealth. Permit me to conclude this Point with an Authority, which with an *English* man may peradventure sway more than all the rest, It being a Declaration of Parliament, and that in Catholic times, That the Crown of *England* is, and alwaies has been, free and subject *immediately* to God and no other, in all that concerns the Regality thereof. 16. Ric. 2. Forreigners may talk as their fancy or Interest leads them, but I suppose a true *English* man will not easily be induc'd, to swerve from a Doctrine delivered him so Authentically by his famous Ancestours.

I hope by this time your Curiosity is at an end, I am sure my patience is, for I am quite tired with talking so long of a matter, which seems to me to afford little more advantage than to know, which of those Authors who treat this Subject, is the best Schollar, and talks most rationally. For as I said before, the Church has no waies interpos'd in the business, and possibly it is a thing not very proper for her to meddle with. She has receiv'd from Christ, and delivers to us, That Obedience to our Princes

Princes is commanded by God, and to be performed, not only for Fear, but for Conscience. And this being agreed by all, and acknowledged for unquestioned and unquestionable Truth; The rest of the speculations may serve for entertainment of those who delight in them, and for the rest seem of little concern, till people speculate themselves into opposition to that so certain, and so certainly known Doctrine; and then they turn not only bad Schollars but bad men, if they see what they do, however dangerous and as such are to be treated.

For my part, I cannot guess what use you would make of this Immediate Power of which you are so curious, unless perhaps, you think the security of Kings not sufficiently provided for without it, and that they may otherwise be oblig'd to render an account of their actions, not only to God, but to those by whose mediation they have receiv'd their Power, and so a principal and necessary Prerogative taken from them. But this is so positively and expressly settled by unquestionable Authority, that 'tis very needless, and rather prejudicial, to have recourse to a ground which some question, when the thing it self is so unanimously agreed that none questions it. Witness S. Cyril Alex. in Joan. L. 12. C. 36. *None offend the laws of Kings without punishment but Kings themselves, in whom this crime of prevarication has no place: for it was wisely said, that he is an impious man who saies to the King, You do wickedly.* S. Ambrose Apolog. David. c. 10. *To Thee only have I sinned; for he was a King subject himself to no Laws, because Kings are free from the bonds of delinquency. For no Laws punish them who are safe by the power of their Empire, and he sinned not to Man, to whom he was not accountable.* And Cap. 4. *They who are subject to Laws dare to deny their sin, and scorn to ask pardon, which he ask'd who was subject to no humane Laws.* Again, L. 2. Ep. 7. *For supported by his regal dignity, as Lord of the Laws, he was not guilty to the Law, he was accountable to God alone, because he is Lord of Power.* Again upon Psal. 118. Ser. 16. *He who had not man to fear, saies, I have sinned to Thee alone, &c. A King, though he have Laws in his power, and may*

may sin without punishment, is nevertheless subject to God. S. Hierom, Ep. 46. ad Rustic. I was a King and feared no other man; for he had no other above him. V. Bede upon Psal. 50. To Thee alone have I sinned. For a King if he sin, sins only to God, for none else shall punish him for his sin. Agapet. ad Justinian. in Parænet. Impose upon your self a necessity to keep the Laws, since you have not on earth who may correct you. Isidor. Hispal. Sent. L. 3. C. 50. People that sin fear the Judge, and are by the Laws restrained from their own harm. Kings, unless they be restrain'd by the only fear of God and Hell, run headlong on, and from the precipice of Licentious liberty fall into all sorts of Vice. Arnob. in Psal. 50. Whoever lives under the Law, when he offends, sins against God, and also against the Laws of the World. But this King being under none but God alone, and only fearing him above his own power, sinned to God alone. Didymus Cat. Aurea in Psal. 50. As he was a King he was not subject to humane Laws, wherefore he sinned not against them who made the Laws, nor committed this evil against any of them: but as to his Regal dignity, if he would be Vertuous he was subject to the Divine Law, and therefore sinned to God alone. Lactantius de Justit. L. 5. c. 24. Let not bad Princes, and unjust Persecutors, who scorn and scoff at the Name of God, think they shall scape without Punishment—for they shall be punish'd by the Judgment of God—He commands us patiently to expect that day of Divine Judgment, in which he will honour or punish every one according to his deserts. Gregory of Tours. L. 5. Hist. c. 17. If any of us, O King, will stray from the path of Justice, he may be punish'd by you. But if you leave it your self, who shall reprehend you? We speak to you, and if you please you hear us: if you will not, who shall condemn you, but He who has declar'd himself to be Justice? Hincmarus apud Boet. Deeret. Eccles. Gallie. L. 2. Tit. 16. c. 2. goes farther, and I know not, whether not too far. Wise men, say this Prince, is subject to the Laws and Judgment of none but God, who made him King in that Kingdom which his Father allotted him. And if he will for this or any other cause, he may at his pleasure go to the Synod, and if he will not, he may freely dismiss it. And as he ought not, whatever he do, be excommunicated by his own Bishops;



Bishops; so by other Bishops he cannot be judged, since he ought be subject to the principality of God alone, by whom alone he could be placed in his own principality. For my part I cannot agree to the denial of the power of Excommunicating in Bishops: and yet St. Austin is cited, Gloss. in 13. Math. to say, That the multitude is not to be Excommunicated, nor the Prince of the people. Euthimius in Psal. 50. Being a King, and having you alone for Judge of the sins I commit, I seem to have sinn'd to you alone; that is, I am subject to you alone as my Judge; of all the rest I my self am Lord, and in respect of my power, it seems, I may do whatever I list. Haymo in Psal. 50. I have sinn'd to Thee alone: because being a King, none is to punish my sin but you alone. St. Thomas 1, 2. Q. 96. Art. 5. making this Conclusion, That all are subject to the Laws; and this Objection from the Law, That the Prince is free from the Law, Answers, That the Prince is free from the Law, for as much as concerns the Co-active power——because none can pronounce sentence of Condemnation against him. Wherefore the Gloss upon Psal. 50. saies, That the King has no man who can judge his actions——But is subject to the Law, as to the directive power, by his own proper will, &c. And so without doubt, good Princes are, and will observe what themselves command. But if they will not, and become bad, there is none according to S. Thomas who has power to condemn them. Alex. Alensis in Psal. 50. I have sinn'd to Thee alone: because there is no other above me who can punish me. For I am a King, and none is above me but you alone. And Part. 3. A King is above all, and therefore to be judged by God alone, since he has not any man who can judge his actions, nor is to be punished by man. But if any of the People sin, they sin both against God and the King. Nicholas de Lyra. I have sinn'd to Thee alone as my Judge; and who has power to punish: for he had sinn'd against Urias, and others slain upon this occasion. Yet because he was a King he had no superiour Judge to punish him but God.

Otho Frisingens Ep. ad Frederic. before his Chronic. Whilst no person is found in the world who is not subject to the Laws of the world, and by that subjection kept in awe; Kings alone, as being above Laws, and reserved to the Divine Judgment, are not aw'd by the Laws of the world. Witness that both King and Prophet, I have sinned to Thee alone. Joan. de Turrenm. in Psal. 50. I have sinn'd to Thee alone as my Judge, and who has power to punish me, because Thou alone art above me who canst judge my Crimes. Dio Vega in conc. Vespert. super Psal. 50. con. 2. Wherefore leaving them, we must go the common way with the Fathers of the Church, Hierom, Austin, Ambrose, Chrysostome, and Cassiodorus, who say, that David therefore us'd these words, because, being a Sovereign King, he was subject to none but God, accountable to the Laws of none, and none but God could punish his sin. For a King though he be subject to the Directive power of the Law, yet is not to the Coactive: Joan. de Pineda upon 34. Job. For if a King or Prince will not willingly obey the Law, who can oblige, or by force constrain him?— Yet let Princes understand at last, that if they do not of their own will keep the Law, they shall render an account to the Supream King, and be punish'd for the Violation of Justice. I conclude with a Jesuice, Lorinus upon Psal. 50. I have sinn'd to Thee alone, viz. as alone knowing, or having power to punish his sin who was a King, and had no Superior— None can say Apostate to a King or call Judges wicked, unless he will be thought wicked himself, as Chrysostom and Nicetas, and Cyril in this place note.

I hope by this time you will acknowledge it was a superfluous care of yours for the security of Princes, if that were your reason, which made you so solicitous for the immediate power. For, whatever become of that, this is universally fixt, That Kings are accountable to none but God. And I think you need not much care what people say in a question disputed amongst Learned men, when that for whose sake you desire it should

should be resolv'd, is it self so fully resolv'd to your hand.

To deal with sincerity, I should acquaint you, what shifts they make to escape the weight of this Authority, who undertake to abett a Power *paramount* in the Pope. But they are such plain shifts, that in truth, I have not patience to insist upon them. Some say this held among the *Jewish* Kings who were above the Priesthood, but holds not among Christians who are subject to it; as if *Christian* Princes were less absolute than those of the *Jews*, or Christianity took away the Right of any Body, much less Princes. I alwaies thought, that much good had come to the world by Christian Religion, and the concerns of Mankind went on more sweetly and more strongly; but that it should be guilty of so great a mischief as to shake the foundations of Government, so beneficial and necessary to humane Nature is a scandal, which methinks, a Christian ear should not hear with patience. And *Bellarmin*, give him his due, as much a favourer of the Pope as he is; in this yet is more a friend to Truth, and tells us, *De Rom. Pont.* L. 1. c. 29. *That the Gospel deprives no man of his Right and Dominion, but gets him a new right to an eternal Kingdom: Nor have Kings less power in the New Testament, than they had in the old.* And yet He, with his distinctions betwixt Fact and Right, Power direct and indirect, with one whereof he still endeavours to ward all blows, makes as mad work, and reduces things to as much confusion. I shall say nothing to them more than to entreat you to be Judge your self, and consider whether, in what I have alledged, there be any room for those Inventions, and whether the Doctrine be not delivered too plainly to be put off with such evasions.

And so I come to your *Second Point*; and for the fear you have of *Bellarmin's* Argument, peradventure it were Answer enough to say, That *S. Bernard* under-

stood what was meant by the word *Feed*, as well at least as *Bellarmin*, and he, notwithstanding all the Cardinals acuteness, tells Pope *Eugenius*, L. 4. c. 3. that to *Feed* is to *Evangelize*. Perform, saies he, the work of an *Evangelist*, and you have fulfilled the duty of a *Pastour*. Again, *Serm. de Resurrect.* Feed with your *Mind*, with your *Mouth*, with your *Actions*; feed with prayer of the *Mind*, exhortation of the *Word*, proposal of *Example*. I suppose no good Catholic, but will side with *S. Bernard* rather than *Bellarmin*; for as great a Schollar as *Bellarmin* was, he is not yet thought a match for *S. Bernard*. But neither is he alone of this mind. *Petrus Blesensis* saies almost in the same words, Ep. 148. What is to Feed the Sheep, but to *Evangelize*, to render the People acceptable to God by *Word*, by *Work*, by *Example*. And thus *Innocent III.* and a great many more are cited by *Caron*, to interpret this word *Feed*; so that all the Cardinal's subtle speculations upon the metaphor us'd in the Gospel, hinder not the Argument from being as insignificant as you, and more besides you to my knowledge think it. And if I have not yet said enough to it, hearken a little to *S. Chrysost.* de Sacerd. L. 2. It is not lawful for a man, to cure a Man with the same Authority with which a Shepherd cures his Sheep. For here it is free to bind and restrain from pasture, and burn and cut; There the Medicine and power of the cure is not in him who Administers, but in him who is Sick. But we shall hear more of him anon.

Mean time, since the Point you have propos'd, besides your recommendation, deserves in it self more consideration than this Argument. Let me tell you for your satisfaction, That those who treat these things put many differences betwixt the Spiritual and Civil power, from the manner of Institution, the ends at which they aim, the means they use to their several ends, &c. That which I conceive most to your purpose, is either ground'd upon, or warrant'd by the

Instruction

Instruction left by S. Peter to his fellow Pastours, in these words, *1 Pet. 5. Feed the flock of God which is among you, providing not by constraint, but willingly according to God, neither for filthy lucre sake but voluntarily, neither as over-ruling the Clergy, but made Examples of the flock from the heart.* From these words some gather this difference betwixt the Spiritual and Temporal Power, that the one is accompanied with the power of Constraint, the other not; I know the word *Coacte* is sometimes expounded otherwise; and that some, and in particular *V. Bede*, understand by it the exclusion of that Mercenary interest, which in service some propose to themselves, while others serve for Love. And this sence is without doubt a good and a true one; but I know not whether the Apostle meant it, though peradventure he, or rather his Inspirer might, according to *S. Austin's Rule*, That all the Truth was meant by God which is contained in the words he Inspired. Otherwise, that seems to be the import of the Second Branch, *Not for lucre but voluntarily*; and this Interpretation, with a needless tautology, makes the two branches signifie but one thing, which the Apostle seems nevertheless to distinguish. However it be, considering that before S. Peter Christ himself puts *Dominion* and *non-dominion*, for the difference betwixt Secular and Spiritual Power. *The Kings of the Gentiles have dominion over them—but you not so. Luke 22. 25.* And that S. Paul tells the *Corinthians*, *The arms of his warfare are not carnal. Cor. 10.* I conceive that whatever S. Peter meant, this doctrine is very true, that Force and Constraint belong only to the Civil Magistrate, and not to the Spiritual: I mean in vertue of his being a Spiritual Magistrate; for these Formalities, of which you profess'd so much dislike, return again in spight of my teeth, and there is no discoursing without them. Otherwise, the man who is a Spiritual Magistrate may upon other accounts justly have, and justly use Constraint; nay,

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it may be his due in consideration of his Spiritual Magistracy, but not originally deduc'd from thence; but annexed to it, or accrued by other means. According to *S. Bernard*, mentioned in my last: *Not by right of Apostleship*. Now if I can make out to you, that it may irreprovably be held in our Church, that this Spiritual Power, of which you are so jealous, cannot use Force or Constraint upon any man, I hope you will have no cause of complaint against it, nor fewel for those fears which still disquiet you. For certainly, a Power which cannot use Force is a little dangerous. If it can persuade you to what it would, you then act by your Inclination or Choice; but if it cannot, you are free to do what you will: And I think, you would not wish to be more safe. Consider then, what men they are whom they must reprove, who will reprove this Doctrine. And first, *S. Hierom* delivers it very plainly, *Epitaph. Nepot. Ep. 3. We must obey the Bishop as the King, nay the Bishop less than the King, for he is over the unwilling, the Bishop over the willing. One subjects by Fear, the other is given to Service; One imprisons the Body to death, the other preserves the Soul to life*, *S. Greg. Nazian. Apologet. We ought not to constrain by Force or Necessity, but persuade by Reason and Example of our lives*. Again, *Our Law and Law-maker have especially provided, that the flock be fed not by constraint, but freely and willingly*. And, *Orat. 1. cont. Jul. Apost. These things Julian had in his mind, as those who were privy to his secrets discovered; but he was restrained by the clemency of God, and the tears of the Christians, whereof many, and by many had, now been shed; since this was their only remedy against a Persecutor*. *S. Jo. Chrysost. in Act. Hom. 3. comparing the care of a Bishop with the care of a Father, makes that of a Bishop much more heavy, as having more Children and less Power. What, saies he, will not the Bishop endure who has so many not of his household Family, but whose Obedience is in their own power. A-*  
gain:

gain : The Emperour has command over the whole world ; the Bishop is Bishop only of one City , and yet he has as much more care as there is difference betwixt a River stir'd with the wind , and the Sea swelling and raging. Why so ? because there are there more helps , since all things are perform'd by Laws and Commands , here is no such thing ; for it is not lawful to command by Authority. Hom. 10. in 1. Thessalon. A Father both by Natural and Civil Laws , uses his Child with much freedom. If he instruct him against his will , if he strike him none hinders him , nor dares the Son himself look up. A Priest has much difficulty : for first he must rule those that are willing to be ruled , and whom by his government he is to please. Again, We domineer not over your Faith , Beloved , nor order these things by the right of command and dominion. To us is commended the speech of Doctrine , not the Authority of Power and Principality. We hold the place of Counsellors and Exhortors : He who counsels when he delivers his opinion , forces not the hearer to accept it , but leaves in his power the free choice of what is to be done. And Hom. 1. in Epi. ad Tit. I omit to say that a Bishop cannot with truth be called a Prince. Why ? Because it is in the Power of their Subjects to obey , or not. Again, De Sacerdot. L. 2. External Judges when they find wicked men who have transgress'd the Laws , shew themselves endued with great Power and Authority , and force them to change their manners whether they will or no. But here we must not use force but only persuade , and by that means make him become better whose cure we have undertaken. For neither have we any Power given by Law to force Delinquents , and if we had , we have not whereon to exercise this force and Power , since Christ gives an eternal Kingdom to those , who not by force but by a firm resolution of the soul abstain from sin. Wherefore there is need of much art , that Christians who are ill-affected will persuade themselves that they ought submit to the cure of Priests. Again, upon these words in the last to the Heb. Hom. Ult. Obey your Prelates , that they may do this with joy , not lamenting

ing, &c. You see that when an Ecclesiastical Prince is condemned, he ought not return revenge, but all his revenge is to weep and sigh. And upon Isa. 6. Hom. 4. The King forces, the Priest exhorts; He with necessity, this by counsel; He has sensible, this spiritual arms, &c. S. Aust. de fide & oper. C. 2. says, The material sword used in the Old Testament by Moyses and Phinees, was a figure of the degradations and excommunications to be exercised in the New, when in the discipline of the Church, the visible sword should cease. Origen Tract. 12. in Mat. Jesus taking occasion from the two Brothers, who sought to be advanc'd above the other Apostles with indignation of the rest, settles the Rule of justice to the faithfull, how a man may obtain the first place with God. The Princes of the Gentiles not content only to Rule their Subjects, seek violently to Command them. But with you who are mine, this shall not be. Least they perhaps who seem to have Principality in the Church, should domineer over their Brethren, or exercise power upon them. For as all Carnal things are by necessity not willingness, and Spiritual by willingness not necessity; so the principality of Spiritual Princes ought to be placed in the Love, not Corporal fear of their Subjects. And after he had spoken much of the Humility befitting Prelates, least he should be thought an enemy to their true Power, he so Answers that Objection that withal he explicates wherein that Power consists, Adding, This I say not to debase the Ecclesiastical Principality. For it is sometimes fit, according to the Apostolical Instruction, publicly to rebuke sinners that the rest may be afraid. It is sometimes fit he should use his Power ( What is that ? ) and deliver the Sinner over to Satan to the destruction of the flesh, that his spirit may be saved in the day of our Lord Jesus Christ. Yet this is seldome to be done. For the Unquiet are to be reprehended, the Pusillanimous to be comforted, the Weak to be sustained, Magnanimity shew'd to all. Reprehension then, and Excommunication, are the things in which Origen thought the Spiritual Power consisted. S. Ambrose Orat. in Aux-  
cent.

ent. *Against Weapons and Soldiers of the Goths I may grieve, I may weep, I may sigh. My Weapons are my Fears: for such are the defence of a Priest. To resist in any other manner I neither ought, nor can.* S. Bernard. de Confid. L.2. S. Peter could not give what he had not, what he had that he gave the care, as I said, over the Churches. Did he give Dominion too? Hear himself; *Not domineering, saies he, in the Clergy, but being made the Example of the flock.* And that you may not think this was said only for humility, not for truth: it is the saying of our Lord in the Gospel, *The Kings of Gentiles have dominion over them, and who have Power upon them are called beneficial, and infer, but you not so.* 'Tis plain Dominion is forbid to Apostles, Go you now and dare to usurp either with Dominion the Apostleship, or with the Apostleship Dominion. Aut Dominans Apostolatam, aut Apostolicus Dominatum. You are plainly forbid the one. If you will have both together, you will lose both. Otherwise think not your self exempted from the number of those of whom God complains; so they have reigned but not by me. They have been Princes, and I knew them not. Now if you will reign without God, you have glory but not with God. Dominion is forbidden, Ministry is commanded. Again, Girt your sword to you, the sword of the Spirit, which is the Word of God. And L.4. Set upon them with the Word, not the sword. S. Anselm in 26 Mat. Note that there are two swords in the Church, one material, the other spiritual, but the spiritual constrains only the willing, the material the unwilling too. And note withall, that the Saint by Church means materially not formally, that is, that amongst Christians and the faithful, as well as Infidels, there is the power of life and death, and they are of the Church who have it, not that it belongs to them as they are of the Church. Pet. de Aliaco de Resumpt. Concl. 1. answering some Arguments brought to prove, that the spiritual Power extends it self to Temporals: *To all these things may be said, that they are to be understood not of the judgement of*  
E  
*Coaction,*

Coaction, but is the judgement of Discretion; nor that they belong to the Clergy, nor by natural and divine Right, but humane Laws, and concession of Kings or Emperors. And Concl. 4. To those who teach the Clergy may make Laws in Civil matters and Rules, according to which Princes are obliged to judge and govern. I insist not upon it, because they say it purely, voluntarily, and without alleging Authentical Scripture. Again, C. de Reform. Laic. & Princ. Conf. 6. The Church cannot temporarily constrain Princes to reform these things. Gul. Othum. Dial. Par. 1. L. 6. C. 9. The Pope as Vicar of Christ has Power of Excommunication, but not to inflict any greater punishment. Joan. Ferus L. 3. Comment. in Mat. 16. I will give Thee the Keys of the Kingdom of Heaven: These are not material Keys, but signifie metaphorically Power. Peter therefore receiv'd Power, not any earthly Power that he could give or take away, or alienate Kingdoms, &c. but the Power to bind and loose, to remit and retain sins, to open and shut, and this not arbitrarily neither, but as a Minister to execute the will of God. This Ferus by the way is in the Index of prohibited Books; but these Commentaries printed at Rome are excepted out of the prohibition, which because I have not, I thought convenient to tell you so. Anton. de Rosell. de Potest. Imp. & Pap. Par. 1. C. 38. Whence is gathered that Secular Power never was in Christ nor his Successors; which is confirm'd by the Authority of Bede, when upon that of St. Mat. he says, Amongst you who are mine, violent dominion shall not be. For as all carnal things are placed in necessity, spirituals in voluntariness, so spiritual Princes have their principalities in love not fear: But those who have carnal Coercion should fear that of the Apostle, Rom. 13. If you do ill, fear, namely, the Secular Power, because their weapons are wars. The sword therefore is not permitted to the Pope. This Rosellis is not into the Index too, Donec expurgetur; of which if I had reflected when I writ my last, I had told you so much: But because he cites V. Bede, who it seems had learnt his Doctrine



Strine from *Origen* and *St. Ambrose*, I put him in. I see these Authors freely cited by Catholics, and while they speak conformably to the Fathers and Popes themselves, know not why they should be rejected. You have in the former Letter from *Leo 4.* that corporal punishments belong to Kings, spiritual to Priests. From *Nicol. 2.* That the Church of God hath no sword but the spiritual. I add *Joan. 8. Cap. Porro 16. Q. 3.* *The Church unacquainted with corporal Arms, patiently expects mercy from her only Lord and Defender when he pleases.* And *Celestin. 3. C. cum ab homine. Extrav. de Judiciis* teaches us, that if a Clergy-man remain after Deposition and Excommunication still incorrigible, *since the Church has not Power to do more, he is to be restrained by the Secular Power, and banishment or some other lawfull punishment insisted.* And this seems to me very evident from the Custom of the Church even at this day, when if a Clergy-man be found guilty of a crime which deserves death, they deliver him degraded over to the Secular Magistrate to receive him. I know that some would have this to proceed only from the prohibition of the Canons, which for decency forbid the Clergy to meddle with blood. But by their favour, considering the unanimous Doctrine of the Fathers before delivered, I cannot think but the true indecency is the want of power, or in *St. Bernard's* language, their thrusting their Sickle into other mens Harvest. Otherwise an action truly virtuous seems far from indecent, and to purge the Commonwealth of a bad Member is not only a virtue, but a necessary one too, and such as the Commonwealth cannot subsist without. Not only the Judge, but the Executioner too may be Saints for all the severity of their Offices, and I should think that things which consist with virtue ought not be thought misbecoming, and what are necessary cannot. So that I must needs believe this Custom of

the Church implies her sence, that her Power is at an end when she has us'd her spiritual rod, Excommunication; and if any more be fit to be done, she must have recourse to temporal Power, which if it think not fit to proceed, I know not why they are not at their liberty.

This is what occurs to me in Answer to the point you propos'd. I hope it will prove satisfactory, and fully quiet the jealousie you have of the spiritual Power. For certainly there cannot be a more unreasonable fear in the world, then to fear that which you know can do you no harm. That men should be in the world impowr'd to declare to us the commands of God, and way to Heaven, and press them by efficacious perswasion upon us, and take all opportunities in season and out of season to that purpose, is so far from prejudicial to mankind, that we cannot fancy a greater nor more needed Good. And if you will take it away, you must take mankind away too. For if our nature require we be govern'd by reason, it requires too that men be permitted to shew it us when we see it not of our selves. If perswasion and exhortation be thought harmfull to men, our nature is fram'd very ill upon which those harmfull things are in proper means to work, all commerce and all society must end when these things are forbidden. For what use is there of conversation, if it become unlawfull for me to perswade another man to his own or my good? If it were not folly to dilate a point so plain, what might not be said of it? Farther, if men become obstinate, and will not hear reason, it is very natural and very fit they should be reclaim'd if it may be, by openly shewing them their fault, and making them sensible they are in the wrong, which if they be, 'tis fit they should amend, if they be not, the company before whom the reprehension is made, will

will see it, and take their parts. And he who reprehends them wrongfully will incur the shame intended for them. So that by this Power none will run the hazard, so much as of shame, but those whose obstinacy in sin truly deserves it. Indeed, I have not known this Power put in practice, whether we owe the discontinuance of it to the Laws or Confession; but 'tis plain 'tis in the Church, and good for Mankind, it should be so.—After this, if the Sinner remain yet obstinate what remains, but that vertuous men and the Church should have no more to do with him, who will not do good to himself, and may do harm to others; but look upon him, in our Saviours language, as an *Ethnic* and *Publican*, and have no Commerce and Communication with him, till Repentance restore him to his former condition? In which I take the substance of Excommunication to consist. And this I conceive is so far from harm, that, I suppose, you will make no difficulty to allow it all; not only ours, but all who pretend to the title of a Church, claiming thus much Power at least. For, that which you only do, and only can fear, that this Spiritual Power should go too far, and look upon the disposing of Kingdoms and altering Commonwealths, as things within her reach; I hope I have brought you sufficient evidence to make you see, that the All fore-seeing Providence of our Wise Law-maker has provided abundantly for your security, in distinguishing the two Powers, and putting them into several hands; and committing the Spiritual Sword to the Church; the Material to the Prince. For if the Spiritual Power cannot use Force, and be only over the Willing, and such as may chuse whether they will obey or no; which you see the Fathers plainly affirm, there is no possible fear from it. If any encroachments be made to the prejudice of other mens Rights, we have

have the same security against them as against all Injuries, the Protection of our Prince oblig'd to defend us, and arm'd with Power to do it. We are taught, He bears not the Sword in vain. And we see by experience he does not. For, notwithstanding these flattering Positions, which you make so terrible, Princes know well enough how to preserve themselves and their Subjects from receiving any harm from them. So Catholics have done in all times, and so they do still. 'Tis true, they are generally willing enough to gratifie the Pope, with permitting any thing to be said in his favour; and shew that respect to the Common Father of Christendom, as to let him, and those who are addicted to him, say even what they please. But yet they do as they think fit: And make no difficulty to Assemble National Councils, and settle even Ecclesiastical Affairs with their own Bishops; nay, to make War upon the Pope himself. And while they use the Sword, are justified still by the Pens of Learned men who take their parts. For all this, they leave not off their respect to their Church, but so prosecute their Civil concerns, that they leave the Rights of the Church untoucht; and make Peace with so much reputation to the Pope, that they refuse not sometimes to ask pardon, even when they are the persons wrong'd. But while they give this respect to the Vicar of Christ, they leave not for all that to do their business, and preserve their own Rights. And while they keep the Sword in their own hands, let the Pope talk as he pleases, think themselves secure enough. They apprehend no great danger from *Solligisms*, which they can use at any time, as *Alexander* did the *Gordian* knot. Notwithstanding, since it may be dangerous to a Prince, that the minds of his Subjects be possess'd with false Doctrines, especially in matters concerning Religion, which men generally prefer before Allegiance, according

according to that, *Aequum est Deo magis obedire quam Regi* (though in truth, Religion and Allegiance can never interfere,) it might concern the prudence of Princes to take that care in these matters which is fitting. But I am no Counsellour, and my condition obliges me to think they do. I have shew'd you what the Sentiments of the Fathers, and the Church are; for the rest it belongs not to me. This which I have done, being only to obey your Commands, and testify the power you have over

Your, &c.



according to the system of the world, a man  
 right (though in truth, Religion and Allegiance are  
 never interests,) it might concern the business of  
 friends to take care in their conversation, and  
 feeling that I am no Conventioneer, and my  
 non obliges me to think it my duty to  
 you what the means of the Church are, and  
 Church are, for the self is doing, and to me  
 This which I have done, being ready to obey your  
 Commands, and willing to do what you shall order.

Yours, &c.

*The Seventh and Eighth*  
OF THE  
**Controversial**  
**LETTERS,**  
O R

Grand Controverſie,

Concerning

The pretended Temporal Authority  
of *POPE S* over the whole Earth,

And the

True Sovereign of *KINGS* within  
their own reſpective Kingdoms.

Between two Engliſh Gentlemen,

*The one of the Church of England:*  
*The other of the Church of Rome.*

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L O N D O N,

Printed for *Henry Brome* and *Benjamin Tooke*, at the Gun;  
& at the Ship in *St. Pauls Church-yard*, 1673.

THE SECOND AND EIGHTH  
OF THE  
CONTROVERSIAL  
LETTERS  
OR  
Grand Conventions

Concerning  
The pretended Temporal Authority  
of POPES over the whole Earth,

and the  
True Sovereign of KINGS within  
their own respective Kingdoms.

Between two English Gentlemen,

The one of the Church of England:  
The other of the Church of Rome.

L O N D O N.

Printed for Henry Bohn and Benjamin Toole, at the Gun  
powder shop in St Pauls Church-yard, 1793.

FRIEND,

**K**now not how it happens; but the more you shew me, methinks the less I see. While I read your Letters I find not what to except against; yet when I look off I remain still unsatisfi'd. That there should be a Spiritual Power distinct from the Temporal, is plainly necessary in-itself, and own'd by us. We go not to *Westminster Hall* for remission of our sins, or to hear the Word of God preach'd, or receive the Sacraments. These things belong to Spiritual Magistrates, amongst whom the Chief with us is the Bishop of *Canterbury*, as with you the Bishop of *Rome*. And since for Orders sake, and the nature of Government, a Chief there must be, It matters not much whether, as one wittily said, the top link of the Spiritual Chain be fastned to the Chair of *Canterbury*, or of *Rome*. So the Temporal Primacy be undisturb'd, and undisturbable by the Spiritual, it seems all one whether have it; I mean in point of Safety, for true or false is another question. And truly, I neither see how your Spiritual Primacy should disturb it, if all be true you say, nor why I should doubt of the truth of what you say, while I consider you say nothing of your own head; but bring such Vouchers for every thing, that I think your Church cannot say otherwise, unless she throw off that Reverence which, with so much ostentation, she professes to have for Antiquity. And yet of necessity there must be more immin. The mischiefs against which I would be secur'd, have actually happened. Princes have been deposed, and the world has been too much concerned in the effects of this Power to be ignorant of it. Our own Princes have not been exempt from attempts of this na-

ture, and the hazard the nation ran in 88. is not yet out of our memory. So that manifestly, either you believe one thing and do another, or you have not inform'd me truly, but covered an ugly face with a handsome vizar. Truly I believe better of your candour, than to suspect you deceive me by design; yet certainly things are not so cleer and smooth of your side, as you would make me believe. To read your Papers, one would think nothing could be more innocent than your doctrine in this Point; yet the world is witness of doings far from Innocent. I must confess, I was sometime sufficiently perplexed to unriddle this mystery. But at last I remembered *Bellarmin*; and when I reflected on his *Indirect* and *Unordained Spiritual* Power, methought I had found the clew to guide me out of this Labyrinth. That distinction does it, Friend, and in truth, I never so well understood the vertue of Distinctions before; for by the help of this, I perceive you may say enough to pass for honest men, and in the meantime reserve as much liberty as heart can wish to play the knave. Pardon my bluntness, 'tis without malice I assure you; but I am too much intent upon the Question to be choise of my words, especially to you: and consider a little. You have told me the Spiritual and Civil Power are distinct; that the Popes Power is Spiritual, and is not Coactive. Why *Bellarmin*, and any that follows him, will grant all this. But, if we conclude thence, That the Pope has nothing to do with Temporals, they will not suffer us, but say, His Power is indeed of its own nature Spiritual, and directly regards only the good of Souls; but if Temporals concern that good, His Power is extended to them too; not directly, as if they were its proper object: but indirectly, as they collaterally fall in, and are joyn'd to that which is its proper object. So that they intend not, that any part of that Authority, which I conceive prejudicial to Princes, and inconsistent with Government, should be taken from him; but plainly seek to establish it, though another way; and whereas Others go plainly to work and tell us, without



without more ado, That the Pope is the only Supream Monarch of the Earth; These go a little about the bush; and say indeed, He is not directly Lord of Temporals, but come at last to the same, and tell us, He may as uncontrollably dispose of them as if he were. If this be true, all you have said is to no purpose, and all you can say, while you stick to this, will not absolve you from inconsistency with Civil Government. For 'tis a plain case, If the Pope may interpose in the disposition of Temporals as often as they have relation to Spirituals, that He may interpose alwaies: Since of necessity they must, and cannot but, be alwaies ordered either well, or ill, and both cases belong to the concern of the Soul. And then 'tis all one, as some body in this case handsomly said, whether my eyes be put out by a direct stroke of a Tennis Ball, or by Bricol. *William Rufus* was as mortally wounded by the Arrow which glanced, as if it had been shot directly at him! If Princes may lawfully be depos'd, and their Subjects absolv'd from their Allegiance, and oblig'd to obey the commands of another; and that in Temporals, they are no longer Sovereign, nor absolute even in Temporals; and whether the Power above them be Direct or Indirect, Spiritual or not Spiritual; so it be a Power and can act, they are alwaies unsafe. Pray Friend let me have no dodging. Tell me plainly, Is this the Doctrine of your Church, or is it not? If it be, unless you can shew me, That those can be good Subjects, and true to their Prince who acknowledge another Power, which they are to obey against their Prince; and how that Prince is Supream in Temporals, who has another above him, whose Commands he is to obey in the disposition of those Temporals; or if he do not, his Subjects are not to obey him, I must, for all you have said, continue in my first thoughts, and not believe you tolerable in any Commonwealth. If it be not true, I think you would deserve very well of your Church, to free her from the scandal which the credit of those who hold this, and the countenance she gives them, brings upon her. In all events, I beseech

I seech you, speak plainly, for else I must needs think,  
 either that your Church teaches you to hold what you  
 are asham'd to own, or, vvhich is worse, obliges you to  
 conceal the Mischief she teaches, that by the reputation  
 of a fair Outside you may preserve your selves in a con-  
 dition to appear to purpose, vvhhen time and opportu-  
 nity make it seasonable for her to discover her injust  
 designs. If this happen, I must needs profess I shall  
 have a worse opinion of your Church than ever I had.  
 For to maintain a false or bad Doctrine, which you  
 think to be true or good, is but Errour, a fault, which,  
 unless other Circumstances aggravate the case, is very  
 pardonable, because very natural. Men were not men,  
 if they were not subject to it. But to teach Wicked-  
 ness, and keep this wickedness conceal'd from those who  
 are not as wicked as themselves; to pretend a sound  
 Outside, and carry a rotten heart, has so much Malice  
 joyn'd to the Errour, that 'tis abominable in a private  
 man, and I have not a name abominable enough to say  
 what 'tis in a Church. After all your brags of Sanctity,  
 I hope you vwill not fall into the woe, which the Gos-  
 pel pronounces against *Whited Sepulchres, beautiful with-  
 out, but within full of dead mens bones and filthiness*. In fine,  
 if you think *Bellarmin*s Doctrine true, you have the  
 liberty to make it consistent with Civil Government if  
 you can. I'll promise you to consider what you can  
 alledge as fully and impartially as you can desire, and  
 give every Argument its full weight. But if you say  
 nothing, or dodge it off, which is as good as saying  
 nothing, being well enough acquainted with your na-  
 ture, to know you are not backward to communicate  
 any thing you can to the satisfaction of your Friends,  
 especially when it tends to the justification of your  
 selves, I shall know how to set the saddle upon the  
 right horse, and without putting you to the confusion  
 of revealing the shame of your Mother, conclude you  
 are forbidden to speak; and, though you were not,  
 allow you do wisely to say nothing, where nothing is  
 to be said that can make for your justification. The  
 Jesuite

Jesuite *River* was commanded by King *James*, to deliver his Sense of this amongst other Points propos'd to him : And he Answered the rest, but past this over with this plain Confession for his excuse, That he was forbidden to speak of that Subject. If you follow his Example, I shall believe you have one Religion vvvhich you publish for your Reputation, and another vvvhich you conceal for your Interest. I shall expect your Answer vvith Impatience, and in the mean time remain

Your, &c.

#### FRIEND,

**I** Must confess I should have thought my self oblig'd to you, if you had dispens'd with me in the Question you now propose so pressingly. Hitherto I have said nothing but what the *Fathers* have said for me, and hope if any man dislike any thing, he will consider before he condemn it, what it is to slight and oppose an Authority so venerable. But now I am not only without the support of Authority (for 'tis not to be expected a peremptory decision should be found in the *Fathers*, of a Question which enter'd not into the world till a good while after they had left it) but the face of Authority is on the other side: not, but that I conceive the Question fully decided to those who mind Sense, not Words. For it appears very plainly in what I have already produc'd, That the Temporal Power moves in its own sphere, both Supremely and Independently, which is in truth the whole business. But you, because this word *Indirect* is not found in the *Fathers*, 'tis still pretended that the

Question

Question is not decided by them, and those who have appeared against that Power are for the most part *discredited* by Censures, and rendered so unfit to support others, that they have not been able to uphold themselves: In my judgment not without partiality. For they were Men of Learning and Vertue, nor is any thing, that I know, laid to their charge, more than that they thought otherwise in this Point than they think at *Rome*. And yet they at *Rome* at the same time freely communicate with some, who think the same, and publish their thoughts, and own them in the face of the vworld. However it be, I so much value the content of thinking my thought quietly to my self, and letting others think as they please, of going unregarded on my own road, and let others stray as much as they will, without thinking my self bound to set them right, that I know not any task you could enjoyn me, to which I have a greater aversion. And I must tell you frankly, that were there no more in the case than the bare satisfaction of your curious humour, I would intreat you to satisfy it at some other rate than the quiet of your Friend, and putting him out of his easie road, and setting him to strive against the stream. But, since with a kind of malicious impertunity you profess to interpret my Silence to the disadvantage of the Church, I must run the hazard of being perhaps traduced my self, rather than suffer her to be so, and think my self oblig'd to sacrifice my Humour and inconsiderable Concerns to Her honour and service. Wherefore, since there is no remedy, but I must swallow this ungrateful Pill, I pray God make it as wholesome, as I find it bitter.

To begin then, 'Tis too much known that there is a Power attributed to the Pope by some, more than is thought due by others, and more than some Popes themselves believe, for 'tis written of *Pius Nih.* that he blam'd the groundless flattery. These Favourers of the Pope are divided into two branches, Some giving him an absolute Direct Power over all, both Spirituals and Temporals: Others restraining his Direct Power to Spirituals,

but

but extending it to Temporals too, in as much as they have reference to Spirituals. The former is call'd the opinion of the Canonists, they being most of that Opinion who hold it: the later is the opinion of Divines who generally go this way. Now if there were nothing in the case, but the Authority of the Maintainers, and strength of the Reasons by which they maintain it, People might dispute with freedom, and let the strongest Argument carry it. But Popes have taken part, and own'd this Power; and though they have not determin'd either the way or the thing, yet they take it for granted they have it some way, and proceed upon it. By this means it has got the face of Authority, and the universal Reverence we bear our Chief Pastour, as it inclines many to think well of all that is favourable to him, so it awes the rest, who do not, into a shiness of contradicting it. So that of Learned Men, those who write of this Subject write generally in favour of it, those who think otherwise, chuse other Subjects to write of; as in truth, there is but little reason to disgust Higher Powers merely to shew there Learning. But this reservedness has been so much taken notice of, that long since it has been thought necessary, Learned Men should be constrain'd by Oaths and fear of Penalties, *terribilibus comminationibus*, to declare their thoughts of this matter. Possibly Interest may have had some share in this backwardness. Men of this sort of Learning belong most to the Church, and may peradventure consider, that, If they displease him who carries the Keys, he may perhaps make use of them to shut the Gates of Ecclesiastical preferment. Besides, they have been diligent to discountenance and suppress all Books written against the Popes Power, so that a Private man cannot write without the hazard of a Censure on his Book, and possibly on his Person. These I think are the true Reasons, I am sure they are good ones, of the backwardness which you phantasie proceeds from a prohibition of the Church, and with a great deal of injustice, and no truth, heigh-ten into malice, and the execrable hypocrisie of teaching



two Religions, one to be published, the other conceal'd, and I know not what; when all this while, I assure you, there is no such thing as a Prohibition of the Church, at least that I know of, for anyman to speak what he thinks ( what *Fisher* mentions was a private Order made amongst the Jesuites, and concerns only themselves, ) but wise men are not forward to speak what may turn to their prejudice, nor quiet men to interpose in the concerns of higher and the Highest Powers, as I conceive, they are not therefore blameable. However it be, He, who from the Sence of those who have writ, would infer the Sence of all Learned Men, concludes, in my opinion, very fallaciously: Those who Write not, and whose Sence we know not, being much more Numerous, and every jot as Learned as those who Write.

But to let that pass: this Doctrine has found a different reception in the world. The *French*, as their natures are frank and open, without more ado plainly deny it; and besides, a great many reiterated Arrest of Parliament, have solemnly condemn'd it in all their Universities. In other Countries they are more reserv'd, and rather oppose, the Execution of the Power; than, the Power it self. They let the Pope, and any for him, talk as they please, but when it comes to Practice, it alwaies proves unjust in that particular, and, I believe, alwaies shall do. In *Brabant* the Custom is, That all *Bulls* are understood of course to be Subreptitious, till they be approv'd by the Prince: In other places; they have other expedients: but as far as I see, by several means they all compass the same end, and admit no more than they think stands with their Profit: Only the *French* bluntly tell the Pope, *Tu cannes*; others use softer words, but their Actions say, *Tu Ball nos*, farther than we think fit. Now for the Opinion of the *Canonists*, since Divines universally reject it, I may without more ado reject it with them. Of the other it may be enquir'd, Whether it be of Faith, and, Whether it be True, which are very different Questions. And for  
Faith

Faith, I positively and freely disclaim it. Both because the Maintainers of it themselves confess it is not, and though some are unwary enough to heighten it to that degree, yet they are but few; and their rashness is generally condemn'd as ill grounded, and carried too far. And besides, I see the contrary is openly maintain'd by as numerous and considerable a Member as any belongs to the Catholic Church; and while at *Rome* they condemn *Wishrington* and *Barklay*, at *Paris* they condemn *Bellarmin* and *Suarez*. The Pope and the rest of the world knows and sees this, and yet Communicate freely with them, and account them all the while good Catholics. Which is plainly to acknowledge, it is no point of Faith in which they differ, for if it were, they could no more Communicate with them, than with *Armin* or *Pelagius*; neither is any consideration of their Power, or concern of Policy, able to justify or dispense with acknowledging him a Catholic, who persists to maintain an Heretic. All the difficulty is, Whether it be true or no. And who am I, that I should undertake to dogmatize in an Age so Antidogmatical, and where no vanity is thought greater than that of Dogmatizing; and this in a Question which has exercised the Wit and Learning of Men esteem'd so great, that to oppose them may chance be counted Arrogance? The most I can do is to tell you what I think, and what I think is, even in my own judgment, so inconsiderable, that I think it a great deal better to play the Historian, than the Disputer; and hope you will be satisfied, if I inform you as much as I know of this Question, and relate the Arguments hitherto produc'd on both sides; at least, as far as I am acquainted with them, and leave you to judge as you see cause. By this means, as you will have all the Information I can give you, so none can rationally blame me for barely relating what every body either knows already, or may know, that will take the pains to look upon what is publicly and every where extant.

But before I begin the Arguments, it will not be amiss to look a little into the Origin of this Dispute, and consider when, and how it came into the world. Gregory the VIIth. was the first that brought it on the Stage. Till his time the Independent Power of Princes was never questioned. They not only quietly dispos'd of Civil matters without controll, except where any notorious Injustice happened (and then both Popes, and other zealous Prelates took the liberty to reprehend; and sometimes Excommunicate them) but had no small share in Ecclesiastical matters, so far as to make Laws concerning them, to invest the Persons duly chosen to Benefices, and confirm the Election even of Popes themselves, which was not held valid without their approbation. Take it in the words of Onuphrius, no enemy

Onuph. de var.  
Creat. Rom.  
Pont. L. 4.

to this Pope. Though formerly the Bishops of Rome were respected as the Heads of Christian Religion, the Vicars of Christ, and Successors of Peter, yet their Authority extended no farther, than either to assert, or maintain the Dogmcs of Faith. For the rest, they were subject to the Emperours, all things were done by Their appointment; themselves were Created by them; neither did the Pope dare to judge, or determine any thing concerning them. Gregory the VIIth. was the First of all the Bishops of Rome, who relying on the Arms of the Normans, and Wealth of the Countess Mathildis, a Woman of great Power in Italy, and inflam'd by the discord of the Princes of Germany oppress'd with Civil Wars, contemning, contrary to the Custom of his Predecessours, the Imperial Power and Authority, after he had obtain'd the Pontificate, durst not only Excommunicate, but deprive the Emperour (by whom he had been if not Elected, at least Confirm'd) of his Kingdom and Empire. A thing to that Age unheard of. For, as for the Fables which go about of Arcadius, and Anastasius, and Leo the Iconoclast, I value them not. Thus then stood things in the world when Hildebrand, Archdeacon of the Church of Rome, was chosen to the Papacy in the year 1083, and called Gregory the VIIth. The Contests, which in his daies began betwixt the Spiritual and

Civil

Civil Power? are the reason, I suppose, why he is so differently represented by those who write of him. His Enemies give him the Character of an Imperious, Tyrannical, and several waies Wicked Man: his Friends on the other side praise him as much, and affirm he was a man of great Prudence and Vertue, and so far, that it hath been attested by several Miracles. And for my own part, I must confess, I incline to believe well of him. For he had been the support of the Papacy during the time of several Popes, his Parts and Industry having drawn upon him the greatest weight of all business, and was so far from aspiring to that dignity, that, if *Baronius* say true, He treated with the Emperour not to consent to his Election, assuring him before hand, that if he did, He would be very severe against the Abuses practic'd in his Court. Besides, if *Sigonius* may be believ'd, and the passages he relates, which can hardly be read without horror, the Emperour was a very Wicked Man: but that which concerns this matter was, That all Benefices were, with all the Licentiousness of a depraved Court expos'd to sale, and He that could Fee a Courtier was without Merit, or even Capacity, possesst of the most considerable Preferments of the Church. As this was a mischief palpably destructive to all Goodness, so 'tis not incredible from the irregularity of a debauch'd Court. And if the Pope desir'd to have it remedied, the end he propos'd was but what became him, if the means had been so too. I am the more inclin'd to believe this true, because the *Germans* in a great measure took part with the Pope, forc't the Emperour to comply, and after several Traverfes, at last took the Crown from him, and plac'd it on his Son. However it were, the Emperour, notwithstanding the Popes Remonstrances, gives consent to the Election and confirms him; and the Pope was as good as his word. And first Excommunicates those who should receive Investitures of Benefices from Laymen, afterwards the Laymen who should grant them, and lastly, provok'd by the Emperour, who in a Synod at *Wormes* had

had forbidden Obedience to him; Excommunicates and deposes the Emperour himself. And this is the first unquestionable Example of this kind, which has appear'd in the Christian World. *Bellarmin* indeed, and his Followers, would make us believe there are Examples more Ancient; but in my opinion he proves them not well, and you see *Onuphrius* counts them but Fables: and those of that Age, at least those vvhho favoured the Emperour, exclaim'd against it as a Novelty unheard of; not to call it Heresie as one saies. But though the thing were now done, it appears not yet in vertue of what Power 'twas done. As that Age was not, I think, extraordinary subtle, the distinctions of Direct and Indirect Power were not yet found out, and the Pope himself speaks in common, *That the care of the Christian World, and Authority to bind and loose was committed to him; considering in the Judgment and Mercy of God, and Patronage of the B. Virgin, and supported by the Authority (of SS. Peter and Paul) &c.* but descends not to particulars. So that it appears not whether he acted in vertue of a Spiritual or Temporal Power, Directly or Indirectly, and 'tis likely he speculated not so far. One thing is pretty remarkable in his second Sentence, for he made two, which ends in this manner: After he had commanded all concerned, to withdraw their Obedience from *Henry*, and yield it to *Rudolphus*, speaking as he does all along to the Apostles *SS. Peter and Paul*: You

See the words  
in *Platina*.

then, saies he, most holy Princes of the Apostles confirm what I have said by your Authority: that all men at last may understand; if you can bind and loose in Heaven, we likewise on Earth may give and take away Empires, Kingdoms, Principalities, and whatsoever mortals can have. — Let Kings, and all Princes of the World understand by his Example what you can do in Heaven, and what power you have with God; and hereafter fear to contemn the commands of the Holy Church. And shew this Judgment upon *Henry* quickly, that all Sons of Iniquity may perceive that he falls from his Kingdom, not by chance; but by your means. This nevertheless I desire from you; that by Repentance



*Repentance he may, at your request, find favour of our Lord at the day of Judgment.* For my part I cannot imagine, but a man who speaks thus must needs mean uprightly, and think at least he does well. Notwithstanding the Apostles did not do as he desir'd them. For this *Rudolphus*, after he had fought twice upon equal terms with the Emperour, was overthrown in the third Battle, and so wounded in the right hand that he dy'd of it, and dy'd full of Repentance and acknowledgment of his own fault, and the Justice of God, who had deservedly punisht him in that hand with which he had formerly sworn Fealty and Service to his Lord. So, that though I believe the Pope thought himself much in the right; yet the Court of Heaven thought not fit to grant his Request, but ordered things quite contrary to his expectation and desire.

The next famous Example is of *Frederic the 4th*. a Prince of great Power and Parts, who falling out with several Popes as resolute as himself, after several breaches at several times made up, and several Sentences published, and recall'd, and renew'd again, was at last, with the astonishment and burrow of all present, saies *M. Paris*, solemnly Excommunicated and depos'd in the Council of *Lions*. And this made both Princes and Prelates begin to look about them, foreseeing, that if this deposing Power should go on, a slight Pretence might at last serve turn to unthrone perhaps an Innocent Man, and bring the vvorl into confusion; which possibly was the cause, the Popes Sentence was not executed. For this *Frederic*, notwithstanding those proceedings, kept the Empire till his death, which happened long after. But still I see not any ground to judge, whether the Power were yet thought Direct or Indirect; and in likelihood, People had in common a great Veneration for the Supream Pastour, and his Decrees, and thought them wicked men vvho submitted not to them, but what kind of Power he had, and how far it extended, as far as I can perceive they little considered. 'Tis observable both in this Sentence, and the former of *Gregory VII.* that

that the Emperour is first Deposed, and afterwards Excommunicated, in aggravation as it were of the former Penalty.

The business was a little more discusst in the Conteſts betwixt *Boniface* the *VIIIth.* and *Philip* the *Fair* of *France*. As this Pope is Recorded for a man of more mettle than Vertue, his proceedings were Violent; but having to do with a Prince both Resolute and Prudent, he found but bad success. The Pope perswades the King to an expedition into the Holy Land: to promote vvhich business, He exacts the Tithes of Church Livings in *France*, and reserves the Collation of all Benefices there to himself. The King excuses the one, and plainly denies the other. The hot Pope sends the Bishop of *Apamea* to threaten him with Censures, and Deposition, unless he yielded to him. The King calls the States, and upon Consultation with them, resolves the Legat deserv'd to be imprisoned; but for reverence to the See Apostolic, banishes him, and for his Threats contemns them. The Legat not content to scape scot-free, falls a new to Threats, which the King resenting commits him to custody to the Metropolitan. The Pope complains of the breach of Ecclesiastical Immunity, and commands his Legat should be immediately return'd. These Letters being read in an Assembly of the States, the Count of *Arras*, as hot every jot as the Pope, throws them into the fire. This put the Pope quite out of patience. Wherefore he Cites both King and Bishops to *Rome*, where he had appointed a Synod, and in the mean time declares the Kingdom of *France*, for Contumacy, Felony, and Violating the Law of Nations devolved to the Apostolic See; writing thus peremptorily to the King; *We would have you to know, that you are subject to us both in Spirituals and Temporals — and who thinks otherwise we repute Heretics.* The King, upon the receipt of these Letters, calls the States again, and by their Advice frames an Answer every jot as smart, and something more homely. *We would have your foolishness know, we are subject to none in Temporals — and who thinks otherwise we*  
take

*take for mad men*: And withal appeals to a future General Council, and objects several Crimes to the Pope, to be made good when the Council should sit, and in the mean time forbids all intercourse vvith *Rome*. This Answer being brought to *Rome* by three Bishops deputed for that purpose, the Pope began to be startled, and at last confesses, That to usurp the Kings Jurisdiction belonged not to him; nevertheless that in respect of Sin, the King could not deny but he was subject to the Pope. This put them to examine, how far, and in what manner he was subject to him; and one of the Cardinals in a Consistory, in which the *French* Embassadours were present, resolves the case in this manner: That Supream Dominion belong'd properly to the Pope, but the Administration to Kings; and therefore all Christian Kings vvere subject to the judgment of the Pope even in Temporals, in regard of his Supream Dominion. But this satisfi'd not the Embassadours at *Rome*; and the States in *France*, resuming the Debate, declar'd positively the King in Temporals vvvas subject to God alone, and ow'd his Crown and Power only to him. Nevertheless, this Subjection on the account of Sin, seems to be the ground of the distinction betwixt Direct and Indirect Power, though I conceive it borrowed from *Innocent* the IV<sup>th</sup>. some time before, upon occasion of a Contest betwixt *John* King of *England*, and *Philip Augustus* of *France*; vvho prosecuting the King of *England* for default of Homage for some Dukedoms in *France*, &c. King *John* appeals to the Pope; *Philip* maintained, that being a Temporal business he had nothing to do vvith it. The Pope was vvilling to favour the *English*, and therefore assumes cognisance of the Cause, upon pretence that there was an Oath in the case, the violation of vvwhich being Sin, belong'd properly to his Tribunal. And this Resolution having been put into a Decree, and that Decree into the Canon-Law seems the principal foundation of Indirect Power.

I must confess, I do not well understand how either this Canon which is in the Decretals, *C. Novis Illis de Jurisdictionibus*; or the other, *C. per Venerabilem. Qui filii sint legitimi*, which are the two usually cited both of Innocent III. make to the purpose. The former was made upon the occasion now mentioned, and in it the Pope speaks thus: *We intend not to Judge of the Fact, whereof the cognisance belongs to him (the King) — but to decree of the Sin, whereof the Censure without doubt pertains to us; which we may and ought to exercise on every one. — None of sound Judgment is ignorant that it belongs to our Office, to correct every Christian for any mortal Sin, and, if he despise Correction, to constrain him by Ecclesiastical punishment, &c.* Where the Pope saies *Correct*, the Gloss adds *Indirectly*, which single word, and that not explicated, is the main Authority for the distinction of *Direct* and *Indirect* Power now in question. The other Canon *per Venerabilem* was made upon this occasion. Philip Augustus of France had put away his Wife, and taken, as I remember, the Countess of Anjou, and had Children by her. These Children, at his request, the Pope Legitimizes, while the suit yet depended of the validity of his former Marriage; For the King alledged it was invalid. But as the Example of Kings is apt to be follow'd, Some body leaves his Wife too, and has Children by another Woman, and then solicites the Pope to Legitimate them as he had done the King's, The Pope refuses to yield his Request, but withal owns a Power to have granted it, if he had found it reasonable, and proves it by several Arguments, and amongst other passages has these words: *We exercise temporal Jurisdiction, not only in the Patrimony of the Church (where we have full power in Temporals) but in other Countries also, casually upon inspection of certain Causes.* These certain Causes the Gloss interprets to be when He is required. Now both these Cases seem to me far enough from the inferring the Deposing Power, which was not at all in question, but Legitimation in the one, and Cognisance of a Temporal business in the other: And though the Pope assume both, yet he is very solicitous

to prove they are within his Sphere, as both may be, and yet nothing follow in behalf of his Indirect disposing. For he may Legitimate Children, in order to Spiritual capacities, and leave them in the same condition in which they were before as to Inheritance, and other Temporal concerns. Again, He may Judge of Sin, and punish it in his own Court with Spiritual punishments, and let Temporal punishments alone to whom they belong, the Temporal Magistrate. And since he expressly limits himself to Ecclesiastical punishments, methinks it is to strain Logic a little too far to infer out of them, a right to Punish by Deposition.

However, in my opinion, this difference in the manner of Explicating this Power sometimes *Casualiter*, sometimes *Indirecte*, sometimes *Ratione peccati*, which differ sufficiently, though they Cite the Authorities indifferently as if they were all one, is a sign they were at first not very clear in this business, in Explicating which they hit it no better. Notwithstanding, the Indirect Power has at last got the Vogue, and most of the Learned Men who Write in favour of the Pope stick to that way. As *Bellarmin* is the most famous amongst them, and most at hand, I choose his Arguments, believing as he was a Man of great Reading, he fail'd not to make use of all that was considerable in those who Writ before him, and seeing, those who Write since borrow most from him. He has Five in his Book, *De Rom. Pont.* and Four in his Answer to *Barklay*. The First are Answered by *Barklay*, and better by *Wishrington*, and every one who Writes of this Subject takes notice of them. In Answering I make use chiefly of *Wishrington*, inserting only upon occasion what I find in others. Only to indulge something to my fancy, and ease it of the grievous pain of Transcribing, I neither tie my self to the order, nor preciseness of the Arguments, but make entire Arguments of themselves, what the Author meant sometimes a proof of some part of an Argument going before. While you have the Substance I hope you will allow me a little Variety for my own ease.



*Bellarmin then, After he had taught against the Cato-  
nists, That the Spiritual and Civil Power are in them-  
selves distinct, and have different Offices, different  
Ends, &c. yet when these two meet together, then he  
affirms they make but one Commonwealth, in which the  
Spiritual Power is superiour to the Temporal. For,  
saies he, there cannot be two Heads; and therefore one Power  
must of necessity be subject to the other; when they both Club  
into one Commonwealth. But this they do where the Law of  
Christ is receiv'd, For we being many are one Body in Christ,  
Rom. 12. And in one Spirit we were all baptiz'd into one  
Body. 1 Cor. 12. And because the Members of the same  
Body must depend one of another, and Spirituals cannot be said  
to depend on Temporals, Temporals must depend on Spirituals,  
and be subject to them.*

To this they Answer differently. Some granting  
the Spiritual and Temporal Power make but one Com-  
monwealth, affirm the Members independent one of a-  
nother; as the Hand depends not on the Foot, nor  
the Foot on the hand, but each free and absolute in their  
proper Functions, are subject only to the Supream  
Head *Christ*. Others, in my opinion more rationally,  
deny the Two Powers club into one Commonwealth,  
and say, The Spiritual makes one, and the Temporal a-  
nother, and so many others as there are Independent  
Heads of this Power: That the same men in different  
respects make both these Bodies; and that as Clergy,  
and Laity, and all, not excepting the Prince himself, in  
as much as they are Faithful, are subject to the Spi-  
ritual Power, according to the nature of Spiritual Sub-  
jection; so the same Laity and Clergy, not excepting  
the Pope himself, in as much as they are Citizens and  
parts of the Temporal Commonwealth, are subject to  
the Temporal Power; that is, for as much as concerns  
the Law of God purely, and abstracting from Humane  
Constitutions, and such Changes as time has brought  
into the World. For now the Pope is himself an ab-  
solute Prince, and other Clergy Men have Privileges  
and Immunities wholly belonging to them. When there-  
fore

fore 'tis assumed that the Church is one Body, they distinguish this word *Church*, and say if it be taken Formally, that is, the Faithful under the notion of Faithful, then indeed they make but one Body; but neither doth this Body include both Powers, for 'tis only the Spiritual to which they are subject as Faithful; as Citizens, they belong to the Temporal. But if the word *Church* be taken Materially, for the Men which make up the Church (an Acception something improper, but yet such as comprehends both Powers) then say they, In this sence the Church is not one Body but two, or if you vwill twenty, as many as there are several Supreme Temporal Powers in Christendom, One Spiritual in relation to the Spiritual Power, and which is properly the Church; The rest Temporal in relation to their several Temporal Heads. And this Answer, as it seems fair in it self, and justified by the sence and apprehension of Mankind (for *France* and *Spain*, for example, both acknowledge the Pope, and are both parts of the Church, and that one Body of which the Apostle speaks; but he that should therefore think them not to be Two distinct Bodies, and Independent Commonwealths, would be thought something extravagant.) so 'tis a little more strongly inforc'd against *Beſarion* by other parts of his own Doctrine. For he teaches elsewhere, That Church-men, besides that they are Church-men, are also Citizens and parts of the Civil Commonwealth, and that all Members of every Body must be subject to their respective Head: That the Civil and Spiritual Power are in their nature distinct Powers, and have distinct Offices and Heads, &c. and that Christ did distinguish the Dignities and Offices of Pope and Emperour, that one should not presume upon the Rights of the other; That Christian Princes, as well as Infidels, acknowledge no Superiour in Temporals, since Christ took not away the Rights of any, and a King by becoming a Christian loses no Right he had before, and the like. Besides, this Answer seems wonderfully strengthened by some Authorities mentioned in the

the

the former Letters. Such as *Grégoire* to the Emperour *Anastase*. The Prelates of the Church owe you all Obedience. And againe The Bishops themselves are to obey your Laws; and that, because there are Two principal Powers by which the World is Governed, the Sacred Authority of Bishops, and Regal Power. Likewise Pope *Anastase* to the same Emperour. Bishops are subject to the Laws of the Prince in what concerns Public Discipline; and Princes to Bishops in the dispensation of the Mysteries and Sacraments, according to the famous Canon of *Leo* the IV. *Nos si incompetenter.* It is to be noted that there are Two Persons by which this world is governed, The Regal, and Sacerdotal: as Kings, are Chief in Worldly, so Priests in Divine matters. — Therefore *David*, though by his Regal Union, he wore over Priests and Prophets in affairs of the World, yet was under them in those of God. Much more might be alledged on this Subject, but this I conceive is enough to shew the Answer given to *Bellarmin*, has the support of Authority as well as Reason.

A Second Argument is from the ends of both Powers; whereof one being Eternal, the other Temporal happiness; because the Eternal happiness is the Supreme and Last end of all things, Temporal happiness must be subordinate to it: And because, according to Aristotle, where the Ends are subordinate, the Faculties likewise are subordinate, the Civil Power which aims only at Temporal happiness must be subordinate, and subject to the Spiritual, which looks after Eternal. This Argument they Answer likewise two waies; First by granting the whole, which they say concludes nothing against them. For admitting the Temporal Power to be subordinate to the Spiritual, nothing follows more than that it is under the other according to the Order which the other has over it; which is by the way of Instruction, and Perswasion, and Direction, not by way of Compulsion; For that belongs not to Spiritual Power. Let the Prince, say they, in Gods name, be Instructed by the Prelate to do well, and Admonisht, and if it be seasonable, even with Spiritual Censures be Corrected if he do amiss: all this may be, and is done by zealous Prelates

Prelates without prejudicing the Authority of the Prince: But if they proceed to authorise his Subjects to throw off their Obedience, then they exceed, say they, the bounds of their Spiritual Power, and intrench upon another which belongs, not to them, but the Prince; and in which he is subject neither to them, nor any body, but God. Another way they Answer, by denying the Ends of those Two Powers to be subordinate One to the other. For the Last end of every Power is its proper act, as Sight is the last end of the power to see, and Relish of the power to taste, and so Temporal Happiness of Temporal Power: Indeed he vvho has Temporal Power, ought to have, and has if he be a Christian, a farther end and aim at Eternal happiness, both in the use of his Temporal power, and all the Actions he does. But the end of the Power is one thing, and the end of Him that has the power another. Wherefore though the Man be subject, his Power is not: Eternal happiness is indeed his own last end, but the last end of Power is Peace, and the quiet security of his Subjects, nor is there any other end to vvhich his Power is ordained. *Bellarmin* against *Barkley* endeavours to make this Argument good, by the Subjection which all Arts in a Commonwealth have to the great Art of Governing: where the Painter, the Musician, the Mariner, and the rest, are all directed, so to use their severall Arts, as is most fitting for the end of the Prince, and good Government, vvhich is Superiour to them all: And as these are subject to the King, and must obey vvhat he prescribes even in the Use of their Arts, so King and all, saies he, is subject to the Pope as He vvho professes the highest of Arts, the bringing Souls to Heaven, by vvhich all inferiour Arts, and their Use, is to be regulated. They Reply, that this rather confirms than opposes vvhat they say. Those Artists are indeed all subject to the Supream Artist the Prince, but as Citizens, not as Artists. The Men are subject to him, and obliged to obey his Commands even in the Use of their Arts, but their Arts have not therefore any subordination to his

his Art. The Ends of Arts or Faculties, say they, are then subordinate when one is designed for the service of another. As the Brick-maker to the Mason, the Sadler to the Horse-man, and the like. For if there were no Houses, nor Riding, Bricks and Saddles would be useless. In these cases the Faculties are subordinate because the Ends are so, and the Brick-maker must receive directions from the Mason how to make his Bricks, and the Sadler from the Rider, what kind of Saddle to make. But that a Painter should be instructed by the Governor how to manage his Colours, or a Musician his Proportions, or that these things have any dependence on the Art of Governing, they think a fancy a little unsuitable to *Bellarmin*'s Learning. *Aristotles* Rule then, say they, is very true; And Faculties are subordinate, where the Ends of them are ordained one for another: but where the Ends are Ends of the Men, and not of the Faculties, there is no colour to alledge it. And so it happens in this case. For though Eternal happiness be the Last end of all men, yet tis no more the end of Temporal Power, than Taste is the end of seeing, or Sight of tasting, both which the man makes use of to his own good, but they are independent and unsubordinate one to the other. So as the Painter and Musician are subject to the King as Citizens, not as Artists, so the King is subject to the Pope, not as King, but as Christian, and no otherwise subject than as Christianity obliges him, with which it may very well stand, That while He is subject to the Pope in *Spirituals*, the Pope may be subject to him in *Temporals*.

Another Argument is, from the Perfection of Commonwealths, and consequently the Church in as much as it is a Commonwealth. Every Commonwealth, saies *Bellarmin*, must have Means sufficient to attain its end, and the End of this Spiritual Commonwealth, which we call the Church, being the Salvation of Souls, the Church were not perfect in her kind if She wanted sufficient Means to bring men to Salvation. And because Wicked Princes may be a great obstacle to the Salvation of Souls, the Church would want  
sufficient



sufficient Means to attain her End, if She had not Power to remedy this inconvenience; and Depose them when they are incorrigibly obstinate. This Argument, to say the truth, they handle a little severely. And first they make Bellarmine himself answer it, putting instead of Wicked Princes, Wicked Popes, and then making use of it vwith as much efficacy to conclude that the Church has a Power to Depose Wicked Popes. But this he will by no means admit, and can therefore tell us, *It is no wonder if in this case there be no efficacious Humane remedy in the Church, since its safety principally depends, not on Humane industry, but the Divine protection, the King being G O D; Wherefore, though the Church cannot Depose the Pope, yet it can, and ought, pray that God will provide a remedy. And tis certain that God will take care of her safety, and either Convert, or take away, such a Pope before he have ruin'd the Church.* Now, they conceive People may as well have recourse to God for remedy against a Wicked King; as a Wicked Pope, and that He can as well hear them. However, want of efficacious Humane remedies in some cases, is acknowledged by Bellarmine to be no Argument of Imperfection in the Church, and therefore they think he might well have spared his pains in this particular. And, since the safety of the Church depends on the Protection of God, they conceive it in very good hands, and that there is no great danger the Wickedness of any Prince will prove more powerful than his Goodness, to which the safety of the Church may very securely be trusted without any necessity of a Remedy worse than the Disease. But they go farther, and ask, if this Power of the Church be so fully sufficient to bring men to Salvation, how it happens that there is so much Ambition, and so much Covetousness, and so much Gluttony, and so much Concupiscence of the Flesh, and of the Eyes, so much Pride of life still left in the world? For these things are great hinderances to Salvation, and the Church seems deficient in her Duty if She take them not away when she can. Again, Why does not the Church, with her

L2. de Concilio. 19.

sufficient Power, clear the World from Mahometism,  
 and Infidelity, and Idolatry, which likewise are main  
 obstacles to Salvation, and provide for the safety of so  
 many Millions as are lost by them. Farther, Amongst  
 Christians, A man commits a mortal Sin, and runs mad  
 upon it. Has the Church sufficient Power to restore  
 this man to his Wits, that he may Repent and be saved?  
 Can She hinder Abortions, and bring all Children alive  
 to Baptism? And twenty other such Cross Questions  
 they put. But to Answer the Argument more precisely:  
 They consider this sufficient Power in the Church, either  
 in order to it Self, or in order to all things necessary to  
 the Effect. Considering the Power in it Self, it is abund-  
 antly sufficient for as much as is required on that  
 side; but, because to the Effect many things are required  
 besides sufficient Power, or Efficacy in the Cause, as that  
 the Subject be fitly disposed, the Cause duly apply'd, &c.  
 they say, a Defect in these things argues no insufficiency  
 in the Power, and the Power may be very sufficient for  
 as much as belongs to the Nature of Power, and yet  
 the Effect not follow for want of some disposition in  
 the Subject. For Example, The Sun has sufficient Power  
 to enlighten the whole World, the Fire has sufficient  
 power to burn that stack of Wood, though the Sun can-  
 not level a Mountain, which intercepts the course of his  
 beams, nor the Fire has hands to bring the Wood to it,  
 or legs to carry it to the Wood. Wherefore, they say,  
 The Church has Power abundantly sufficient to bring  
 Men to Salvation, for as much as is requisite on the  
 part of Power, but 'tis a wild conceit to think She can  
 remove all obstacles which Nature or Chance casts in  
 her way to hinder the exercise of that Power. And if  
 one of those Obstacles happen to be the Wickedness  
 of a Prince, the Churches sufficient Power to Save men  
 can no more take Him away, than the Suns sufficient  
 power to shine level a Mountain. What her sufficient  
 Power, or Means to Save men are, we may learn from  
 those who certainly best know the end of the Church,  
 and Means to attain it, the first Planters of Christi-  
 anity;

anity; who by there Example have instructed us, That efficacious Preaching; and more efficacious Living according to the Holy Doctrine they Preach'd, Charity, and Patience, and humble Zeal are the sufficient Means which have prevailed upon the Converted vworld, and when they are in Gods fit time duly apply'd, vvill be as sufficient for the rest. In the mean time we may learn of *Bellarmin*, that God vvill have a care of his Church; and, whatever he think, must think our selves, That Prayer is as good a remedy against a Bad Prince as a Wicked Popes: And therefore that Proposition, which assumes that a Deposing Power is necessary, or that the Churchs Power would be Insufficient without it, they flatly deny.

From the same Head *Bellarmin* Argues again. Every Commonwealth, because it has Power sufficient to preserve it self, and bring its Subjects to Temporal happiness, may command another Commonwealth, which is not subject to it, to cease from doing injury to her, and hinder her from the prosecution of her just Ends; and if it refuse to Obey, may Depose the Prince of it, and set up another who will be more just, in case there be no other way to avoid wrong from it. Therefore much more may the Spiritual Commonwealth command the Temporal, which is subject to it, and Depose the Prince, in case She cannot otherwise compass Her End, the Salvation of Souls. And this Argument they treat not more favourably than the former: For they say first, It assumes plain Contradiction; vvhen it puts two Commonwealths both independent and free, and yet puts a Power in the one to command the other, which is to make that other Subject, and not Free. Again, It assumes without any reason, and against all Truth, That the Temporal Commonwealth is subject to the Spiritual, which they will by no means admit, unless perhaps of a Spiritual Subjection, and that too of the persons as Faithful, not as a Commonwealth, in which respect every absolute Commonwealth is absolutely free from all Subjection to any but God. Farther, they return it as the former, and say, It concludes as well a Power in the Temporal Commonwealth

over the Spiritual as in the Spiritual over the Temporal. For, say they, The Temporal is a perfect Commonwealth too, and has Power sufficient to attain its End. Wherefore, if the Spiritual hinder her in the prosecution of Her end, She may command the Spiritual Commonwealth to surcease; and if the Spiritual Prince prove Disobedient, depose him and set up another, since the Spiritual Commonwealth is as subject to the Temporal in Temporals, as the Temporal to the Spiritual in Spirituals. But to Answer the Argument more directly, they deny that this forcible proceeding, of one Independent Commonwealth with another, argues any Superiority or Subjection in either. What they do in this kind, if it be well done, being justified by the force of Nature, and light of Reason, and lawless Law of Necessity, which teaches Force to be then fitly us'd, when nothing but Force will compass an End; otherwise Necessary. Otherwise this kind of Power, is no other than a Strong man has to take away the Purse of a Weak one: and there is no doubt but whoever has it, may, if he will, make use of it, and so the Pope, if he be strong enough, may certainly Depose a Prince, as a Prince may a Pope. But, they wonder *Bellarmin* should be so little considerative; as instead of a Power of just Authority, to talk of a power of Strength, in which they think he has done the Church but little service, for if She come to vye with Princes in this kind of Power, the Material Sword, which belongs to them, will, in all likelihood, wound the Spiritual Outward man more sensibly, than the Spiritual Sword will the Carnal man. Mean time, they conceive her to use a bad Method, to conclude an Authoritative Power in the Church, by the example of a Power in Commonwealths, which is not Authority but Strength.

Another Argument *Bellarmin* makes from the obligation of Christianity, in this manner. It is not lawful for Christians to endure an Infidel or Heretic Prince, if that Prince enacts laws against his Subjects in Heresie or Infidelity. But it belongs to the Pope to judge whether he be guilty of so drawing

*drawing them or no; wherefore to the Pope it belongs to Judge whether he ought to be Deposed or no.* Because he could not but foresee his first Proposition would be deny'd him, he provided Proofs, which before I meddle with I must inform you what they say to thus much of the Argument, for they are no where smarter. This, say they, is without more adoe, to put all Kingdoms into the Popes hands, and make him as Absolute as the most extravagant of Canonists can fancy him. For since there are but two things considerable in the case, Whether an Opinion imputed to a Prince be Heresie or no? and, Whether he hold it or no, and would introduce it among his Subjects? If both these depend on the Popes Judgment, and his Judgment be irrafragable, the safety of all Princes lies in his breast, and no Prince can be longer secure of his Crown, than he is of the Popes favour? For the Pope may proceed to Judgment when he pleases, and if he be to be obey'd let him Judge how he pleases, No Prince can be a Prince longer than he pleases. For put the case, say they. To deny in the Pope a Power to Depose Princes is an opinion, which may, by this Rule, be declared Heresie, whenever the Pope thinks convenient. The King of *France*, for Example, himself holds that Opinion, and endeavours his Subjects should do so to. This King therefore, and I believe it will go as hard with all the rest, is Deposable if for no other reason, yet for thinking himself not Deposable. And so, all Kings are without more adoe at the Mercy of the Pope. If they acknowledge themselves Deposable, they grant the Power, and are beholding to him that he puts it not in Execution; if they deny it, for that very reason they are to be Deposed, and are again more to thank him that he does not Depose them, when they deserve it. To this particular then of the Popes Judgment, If it be understood of a Natural Judgment, others, say they, may Judge as well as the Pope whether the Prince deserve to be Depos'd or no, and those who live upon the place better, as having better information from their Eyes and Ears, than



than he can have from the Report of others. But if it be understood of an Authoritative Judgment, such whose Sentence obliges People to the Execution of it; they deny the Pope, or any else, has any Authority to Judge, in that manner, of the Behaviour of Princes. For, say they, the Authority of every Judge, is confined to his proper Tribunal; a Judge of Assize is no Judge in the Spiritual Court, nor is a Bishop a Judge of Assize. Now the Pope's is a Spiritual Tribunal, and in that he may, in fit circumstances, judge even of Princes, and condemn them, if they be faulty, and award Spiritual Penalties against them. But if he proceed to Temporal Punishments, he passes to a Tribunal in which he is no Judge, nor his Sentence so given more to be obey'd than that of a Court Marshal in the Common Pleas: And to say otherwise, were to take all Judges, and all Tribunals out of the vworld, besides his own. For there is no Action but if well done belongs to Vertue, if ill, to Vice; And He being as much Judge of Vertue as Vice, as of Heresie and Faith, there is no Action nor can be, which by this account does not belong to his Tribunal, and so all other Judges are useless. For the rest, they flatly deny the first Proposition, and affirm, Subjects are so far from being obliged not to endure an Infidel, or Heretic Prince, that they are oblig'd to Endure and Obey him too, not so far indeed as to turn Infidels or Heretics for his sake, nor so far as not to represent his Errours or Miscarriages to him in that dutiful manner which is allowed by the Law, and their Allegiance; but, for the rest, let him be never so much an Infidel or Heretic, He is still their Prince, and as such to be obey'd.

*Bellarmin* proves he may not from *Deuteron*. where the *Jews* are forbid to choose a King who is not a *Jew*: And this seems a little far off. For, if in *Poland*, for Example, the Law were to choose only a *Polander*, or in *Germany* a *German*; this might very well be true, and withal be little to purpose. But yet he brings it nearer. The Reason of this Law, saies he, was, least by choosing a *Stranger*, they

they might be brought into Idolatry. But there is the same danger, and the same mischief in choosing a Prince who is not a Christian, and remaining subject to one who becomes no Christian, therefore Christians are bound to Depose a Prince who deserts Christianity, and endeavours to pervert his Subjects after him. This Argument, saies the other side, makes nothing for the Pope: It may seem to countenance the pretensions which Rebellious People make to a Power over their Kings; for those are they who Choose, and by Consequence are to Depose, if this Argument hold; but the Pope has no more to do with the one than the other, or if he have he has as much right to Choose as Depose. For the Law then, they acknowledge the Reason, assigned by *Bellarmin*, is in likelihood true: but when he assumes that the case of not Choosing, and not Obeying a Prince already chosen, or otherwise in Lawful possession of the Principality, is equally mischievous, they think him wonderfully out. Before he is Chosen, he is no Prince, nor have the People any tie to him, and while they are at their Liberty they will not do well to Choose ill, and subject themselves to a Bad Man. But when he is once Chosen, or otherwise established, they are no longer Free, but Subject, and that for Conscience, neither have they any other part in the disposition of the Commonwealth but Obedience. This Prince, though Election were the means by which he got his Principality, yet has it now, and that by Divine Right, and is truly the Vicar of God, whose particular Commission for his Deposition unless it can be produced, those who resist him resist the Ordinance of God, and acquire Damnation to themselves. A Man does ill who chooses a Bad Wife, and is bound by the law of Reason to choose a Good one: But can he therefore cast her off when he has her, and because he did amiss in taking a Scold, do worse in leaving her? The Cardinals are bound to Choose a Good Man for Pope; if they choose a Bad one, or he become Bad after his Election, *Bellarmin* will not therefore allow them to Choose another. And yet his Argument is every jot as efficacious in that case

case, as in that of Bad Princes. A Bad Pope may do as much mischief as a Bad Prince, and if the danger and mischief be equal to Choose him, and Obey him, the Pope is as fully 'confuted as the Prince. But that *Bellarmin* should impose upon them that the mischief of Choosing, and not Deposing is equal, and make it a kind of known Principle too, and such as needs no proof, they take very unkindly at his hands. For if they refuse to choose a Bad Man, there is no mischief, at all, nor injury so much as to him who is refused. But if a Prince once lawfully Establish'd he afterwards cast out, there follows Bloodshed, and War, the Hazard, perhaps the Ruine of the Commonwealth. So that his equal Cases put the greatest mischiefs that can be on one side, and none at all on the other, which is a very partial, and something unequal equality: or else, they make the Disturbance and Hazard of the Commonwealth no mischief, which, that *Bellarmin* should go about to persuade them, argues, he had more confidence in his Logic, than they have Opinion of his Judgment. 'Tis great pity this Doctrine, if it be true, was not in fashion a little sooner, the Ignorance of it cost the life of many a good Christian, and the Blood of abundance of Innocent Men, shed in Ten Persecutions, might have been saved, if the first Masters of Christianity had Instructed People a little better, and made them understand the convenient use of their Power. For it had been but Antidating a little the course of Providence, and setting up a Christian Emperour in the place of *Nero* or *Dioclesian*, and all had been well: And 'tis a little strange those Primitive Christians, whom none suspects of want of Zeal, either understood, or practis'd their duty no better.

Neither the one nor the other saies *Bellarmin*: but the Reason why they Depos'd not *Nero* and *Dioclesian*, and the Apostate *Julian*, and *Valens* the Arian, was, because they wanted Force. For that they wanted not Right nor the Knowledge of it, is apparent by the Apostle, who, 1 Cor. 16. bids the Christians appoint New Judges, and if they could make  
New

*New Judges, they might as well have made New Kings if their Force had been equal to their Justice.* But certainly some body is extreamly out, *Bellarmin* or his Adversaries; for they affirm very confidently, that the Primitive Christians were not so weak and helpless as he pretends. *S. Peter* himself liv'd in *Nero's* time, and he had power to restore the dead to life, and cast the living into sudden death. A body would think this was Power enough in conscience, and that *Nero* with all his Guards and Legions was not more secure of his Empire against this miraculous and unresistable Force, than *Ananias* of his life. It was not then for want of Power that he taught Christians to be subject to the King as most excelling, &c. and choose to lay down his own life amongst the rest, rather than practice an expedient which *Bellarmin* thinks so necessary, and which to him had been easie enough if he had been of *Bellarmin's* mind. But to speak only of Humane Power, *Tertullian* liv'd in those daies, and Writ what he saw and knew; He affirms the contrary to what *Bellarmin* thinks very plainly, *Apologet.* C. 37. *Should we want Numbers or Forces if we had a mind to be open Enemies, not secret Revengers? Are the Moors, and Marcomans, and Parthians, and whatever Nations of one place, and confin'd to their own Limits, more than those of the whole World? We are but Men of yesterday, and yet have filled all the places you have, your Cities, Islands, Castles, Burroughs, Councils, and Camp it self, your Tribes, Courts, Palaces, the Senate and the Market. We have left you only the Temples. For what War are not we fit and ready, even though we were Inferiour in Number, who endure death so willingly, if in this Discipline it were as lawful to Kill as to be killed, &c?* *Eusebius*, Writing of the times L. 8 c. 1. before *Dioclesian*: *Who shall describe, saies he, the numerous Congregations and multitudes of meetings in every City, and the open concourse to Oratories, for which not content with the Ancient Buildings, they in every City set up spacious and Large Churches from the very Foundations. A thing testifi'd by Maximinus himself, who saies to Sabinius, that Dioclesian and Maximinian commanded Christians*

fians to be proceeded against because they saw *Omnes  
ferè mortales*, All men generally, leaving  
 Euseb. L. 9. the Worship of the gods, unite themselves  
 C 9. to the Christians. The Army of Julian too  
 was almost all Christian, say Historians, in  
 so much that when Jovinian chosen Emperour after his  
 death, shew'd a backwardness to his Election, as being  
 himself a Christian, and unwilling to take the Command  
 of Men accustomed to Wickedness under  
 Theodor. Julian, they all cry'd out, *He should not doubt,*  
 L. 4. C. 1. *and refuse a Command not Wicked. That he  
 should be an Emperour of Christians, and Men  
 brought up in Discipline and Piety, which the Elder of them  
 learnt of Constantine, and the Younger of Constantius,  
 and that if Julian had circumvented some, he liv'd not long  
 enough to settle the Mischief.* S. Austin too  
 In Psal. 124. testifies of them, that *They could at their plea-  
 sure have deposed Julian, but would not, because  
 they were subject for Necessity, not only to avoid Anger, but  
 for Conscience and Love, and because our Lord so commanded.*  
 And abundance more they alledge in this kind.

To the Proof which Bellarmin brings from 1 Cor. they  
 Reply, That since the Christians had Force enough to  
 Create New Judges, they see not why they had not  
 Force enough to Create New Kings too. And the truth  
 is, if the Judges meant by the Apostle, were such as  
 could claim and exercise the Authority, invested in  
 those who were appointed by the Prince, it was little  
 less than to set up New Kings, or at least deprive their  
 Old of a good part of the Subjection due to them. For  
 he that refuses to submit to a Magistrate Commissiona-  
 ted by a Prince, makes more bold with the Prince him-  
 self than is consistent with the duty of a Subject. For  
 since the Inferiour Judge has his Authority from the  
 Prince, to refuse it is in plain terms to refuse the Autho-  
 rity of the Prince. Which the Apostle, they think, was  
 far enough from Authorizing, or even perswading,  
 Christians to do. They conceive then, that what the  
 Apostle did in this case, is no more than what Good  
 Judges



Judges ought to do at this day, it being no unusual thing for them to wish the parties not to expect the Rigour of the Law, but compound their Differences fairly amongst themselves, to which purpose they either Assign, or leave them to choose Umpires themselves. Yet, all this while never intend, by their Charitable Compassion, to forfeit their own Right, or debar the Parties from having recourse to them again, if the other Method proves not to their satisfaction. Such, say they, was the Apostles meaning in that place. He desired to prevent, as much as might be, all Contentions among the Faithful, at least the Scandal of their breaking out, and being taken notice of in the Courts of Heathens. To this purpose he wishes them to keep their Frailties from becoming public, and if they could not avoid Contentions, at least to end them by the Judgment of Men chosen amongst themselves; but never intended to invest the Men so chosen, with an Authority any way prejudicial to that of the lawful Magistrate. Even now, say they, the Apostles whether Counsel or Command is still in force, and People do ill who expose their Frailties to the knowledge of Public Courts; notwithstanding, if they will needs go to Law, Courts have their full Power now as they had then, and as much as if *S. Paul* had never written any such thing. By the Judges then mentioned by the Apostle, they understand Umpires chosen among themselves to prevent the Scandal of Public Suits, but without any Authority derogatory to the Public Magistrate; and alledge from *S. Thomas*, That if the Faithful had been forbidden to appear upon Summons before the Tribunals of Infidels, it had been against the subjection due to Princes, and contrary to the Command of *S. Peter*, *Be subject to every humane Creature, to the King as precelling, and to the Rulers as sent by him.* *Bellarmin* cannot digest this Umpirage, but persists against *Barklay* to maintain they were True Judges, yet withal confesses they had no Coactive Power as to the External Court, and that Christians were obliged, when ever Cited at the Suit, either of Infidel or Chri-

stian, to answer before the Legal Magistrate; because, saies he, they were not Chosen by consent of the Contending Parties alone, but appointed by the Church. But this, I think, makes them no other than bare Umpires; for such they are, and are so esteemed among us who are often appointed by our Courts to decide particular Differences. And all the obligation to stand to their Award, was, for ought appears, the obligation of doing what became Christians, whom *S. Paul* in that place, and our Saviour before him had instructed *Not to contend in Judgment, but part with the Cloak too to him who would take away the Coat.* And this Obligation, for ought I know, continues still, and Law Suits are a blemish to the perfection of Christianity even at this day, where men should do a great deal better to decide their differences by a Friendly Composition, than lose so much time, and undergo so much Trouble as is required to follow the Law. But if either We now, or They then, are not so perfect as we ought, but will have recourse to Magistrates, there is nothing in *S. Paul* which hinders their Jurisdiction. Mean time I conceive, the difference betwixt a Judge and an Umpire, is, that one has Power to execute his Sentence, the other not; wherefore *Bellarmin* may call them what he pleases, but if they had no Coactive Power, as he confesses they had not, they were not what our, and I think all Languages, properly call *Judges*. This Argument then seems to come off lamely enough, while it supposes the Primitive Christians wanted Force, against the plain testimony of Primitive Christians themselves; and would prove a right to set up New Kings, by setting up New Judges, vvhich Judges had not that Power vvhich is necessary to a Judge, and makes his proper distinction from an Umpire; however, vvhich did not prejudice the Authority of the Legal Magistrate. In short, it amounts to this, Christians are now free from Subjection to their Princes, because *S. Paul* advised them heretofore to do something which did not take away their Subjection to Inferiour Magistrates;

Peradventure a second Proof may be more lucky, which Bellarmin makes in this manner. *To tolerate an Heretical Prince, is to expose Religion to most evident danger. For such as the Ruler of a City is, such will be the Inhabitants.* Ecclesiastic. 10. *But Christians ought not to tolerate an Infidel Prince with evident peril of Religion, because where Divine and Human Laws are opposite, we must obey the Divine Law. And the Divine Law obliges us to preserve the true Religion, Human Law only to have this, or that Man for King.* And to say truth, Bellarmin is a little more lucky than ordinary; for his Adversaries, besides what he Cites from Scripture, grant him at least one Proposition, namely, That the Law of God is to be prefer'd before the Law of Man, and they hit it so seldom, that 'tis well they agree in any thing. But then they deny all the rest, and affirm, that to tolerate an Infidel King, is not to expose Religion to evident danger; That Christians ought be subject to the Prince God has set over him, whatever he be; That there is no Contrariety betwixt the Law of God, and the Law of Man in this case; and lastly, That our Subjection to Princes is not only by Human Law. And while they are in such an humour of Contradicting, 'twas great luck that Bellarmin could get any thing granted. For the first, they say, Bellarmin forgets himself and his Doctrine elsewhere. When 'twas for his purpose he could acknowledge, that *The safety of the Church depends, not on Human Industry, but, the Divine Protection, and that he will be sure to take care of her, and provide Remedies against all mischances which may befall her.* And they think, if Bellarmin be forgetful, there is no great fear that God will be so too, or danger that any Wickedness will prevail against the Power of Omnipotent Goodness. For what greater danger is there in these later daies, more than in the former, when for Three hundred years together Princes, not only were Infidels, but employ'd all their Power and all their Industry to root out Springing Christianity out of the World. Notwithstanding which, the Church continued, and increased, and prevail'd at last. So that,

if

if a King happen to persecute the Church, to think, as *Bellarmin* seems to do, that all is presently lost, is to rely on the Arm of Flesh a little more than becomes a good Christian, and to distrust either the Power or Goodness of God, and besides, manifestly to contradict the Evidence of History. And for the second, That People may not tolerate an Infidel Prince, because that would expose Religion to evident Danger. This Tolerating of a Prince seems something an unmannerly phrase for Subjects. A Prince may, when he sees fit, Tolerate the unwaywardness of his Subjects, and not punish all the faults he sees. But for Subjects to Tolerate their Prince is an expression hardly tolerable. They are to obey him, not in his Infidelity, which 'tis permitted them even to oppose by all the dutiful means consistent with the Fidelity of good Subjects, but in the rest to refuse Subjection, is no less than to acquire damnation. However, *Tolerating*, say they, signifies not Acting, *Exposing* signifies Acting; and that *not-doing* should be thought *Doing*, they apprehend very strange. Yet, if any Inconvenience follow from not Acting, it is then only imputable to him who Acts not, when He is otherwise obliged to Act. And no man can be oblig'd to Act, but where the Action is Just and Lawful. Now Rebellion, and Tumults, and Murder, and such Actions as those of necessity must be, by which a Lawful Prince is resisted by his Subjects, till *Bellarmin* have prov'd Just and Lawful Actions, they think, they may safely deny, any apprehended danger of Religion will justify those who do them. If any harm come, they are all accountable to God who do it; the People who do Nothing have nothing to Answer for, unless it be blamable to trust Gods Providence, and not to intermeddle without sufficient Cause, a sufficient cause of Condemnation. If the Laws of God did warrant the Interposing of the People, something might be said for them; but since they do not; their part is to do their Duty in what concerns them to do, and rely upon God for the rest. Then for the Contradiction between the

two Laws : The Divine Law, saies *Bellarmin*, obliges us to preserve the True Religion, Human only to have this or that Man for King. Where is the Contradiction, say they ? Cannot I keep this Man for my King, and keep my Religion too ? A body would think that this is very possible to be done. The contrary to that Divine Law is, You shall not preserve the True Religion ; and if any Human Law command this, Disobey freely in Gods name, for *Aequum est obedire Deo magis quam Homini*. But while you disobey this Law, which you cannot without offending God obey, do not refuse to acknowledge your Prince, and obey him there, where you offend God if you do not obey. Again, the contrary to what he calls the Human Law is, You shall not have this or that Man for Prince, or, which is all one, You shall not obey him in just Commands. *Bellarmin* has not yet produc'd any Command of the Divine Law which saies this, nor will, till Rebellion become a part of Gods Law. In fine, Whoever persists to put a contradiction betwixt Fearing God and Honouring the King, will be Confuted by all the Bells in the Parish. Lastly, Whereas he makes it only by Human Law that this or that Man is King, they Reply, what you have more at large in a former Letter, That He becomes King, as the Pope becomes Pope, by Human means ; but when he once is so, Obedience to him is by Divine Right, and so ; if there be any contradiction betwixt Preserving our Religion and Obeying our Prince, the Divine Law contradicts it self. For as Preservation of Religion is Divine Law ; so Obedience to Princes is Divine Law too. If *Bellarmin* be not pleas'd with these Answers they leave him to make better himself, retorting, as they are very good at Reparty, his Argument against a scandalous Pope ; for he, say they, exposes Vertue to evident danger ; For such as the Ruler, such will be the Inhabitants. And Gods Law is to be observ'd when 'tis contrary to Human Law, and Gods Law obliges us to preserve Vertue, and 'tis by Human Law only that this or that Man is Pope, &c.

And



And so we come to another Argument from the parity betwixt an Infidel Prince and an Infidel Husband, whom the Apostle allows the Faithful Wife to leave, and therefore, Why are not the Faithful People as free in respect of an Infidel Prince? In Answer to this they Dispute several things with exactness enough, and examining the particular Cases where, and how far, and why Divorce is lawful, find several Disparities, and several Reasons why the Argument concludes not. But to leave those Considerations, which are not without their perplexity, this Reply of theirs seems very plain. Bring, say they, a Permission from the Apostle for a Subject to desert his Prince, as plain as this is for a Woman to leave her Husband, and we vwill acknowledge the case is equal. The Apostle plainly derogates from the general Rule, and brings an Exception wherein the Law of Marriage binds not. He that was so careful of Private concerns, cannot be imagined unmindful of Public and greater. Had he known any Exception from the general Rule of Obeying Princes, it is not to be suspected he would conceal it, and testifie more care for Private Families than Commonwealths. So that the Argument amounts to this: We are free from the Law in cases where the Law is dispens't with, therefore we are free likewise where 'tis not dispens't with. Again, say they, the Woman is only then free when the Man refuses to live vvith her, for if he stay *S. Paul* wishes her to stay vvith him. Now if any Prince refuses to Govern his People, unless they vwill become Infidels like himself, I think they will allow the People are not obliged to turn Infidels for his sake, but may get them another in case he leave them. But if the King will stay vvith his People, since the Woman is to stay vvith her Husband who vwill be vvith her, they think the very parity concludes the People oblig'd to stay vvith their Prince. Otherwise the parity stands in this manner: Even as the Faithful Woman is not to leave her Unbelieving Husband who vwill continue vvith her; even so, the Believing People are to leave their Unbelieving King

King who vwill stay vvith them. Or, even as the Believing Woman is free from an Unbelieving Husband who casts her off; even so the Beleiving People are free from an Unbelieving King vvho does not cast them off. Which methinks are something unlike for Parities.

The next Argument is of great esteem with *Bellarmin*. He made it in his Book *De Rom. Pont.* and repeats it in *Tortus*, and urges it largely against *Barklay*. This it is: Princes are receiv'd into the Church with this either exprest or tacit bargain, to submit their Scepters to Christ, and preserve and defend their Religion, and this under penalty of forfeiting their Kingdoms if they fail. Wherefore, if they become Heretics, or an obstacle to Religion, they may without injury be judged and Deposed by the Church. For he is not fit to receive the Sacrament of Baptism, who is not disposed to serve Christ, and lose all he has for his sake, according to *S. Luke 14*. If any one comes to me, and hates not Father and Mother, &c. he cannot be my Disciple. And the Church would err too grievously if She admitted a King who without Controul would cherish Heresie, and overthrow Religion. Thus Argues *Bellarmin* in *Rom. Pont.* C. 24.

But against *Barklay* more largely. Let us imagine, saies he, an Infidel Prince, desirous to be receiv'd into the Church, should speak in this manner: I desire to become a fellow Citizen with the Saints by Baptism, and promise to submit my Scepter to Christ, and defend his Church to my power, and never to break my holy purpose. Nevertheless, If I happen to break my Word, and become an Heretic, or Apostate, or Pagan, I will not be punished with Temporal Punishments, either by the Church, or its President, or any but Christ; and if the Chief Governour of the Church separate me from the Communion of the Faithful, I will nevertheless that the Faithful Sons of the Church continue Faithful Subjects to me, and may not be absolved from the bond of their Obedience by any. Such a King, saies he, if *Barklay* think fit for Baptism, wise men would laugh at him. For if a man should desire to be incorporated into any City, and should protest that if he had a mind to betray that City, he would not be

judged by the Magistrates of it, but by the King who dwells far off, every body would laugh at him. And truly He that, according to the Gospel, ought be prepar'd to lose his life for the Faith of Christ, ought more to be prepared to lose an Earthly Kingdom. But 'tis ridiculous to say, I am ready to be depriv'd of my Kingdom, if I renounce my Faith, but not by any Sentence of Man, but will have Sentence pronounce against me by the Angels in Heaven. The Church would be very imprudent to receive into her bosom a Man who would, without controul, afflict the Members of the Church, and not suffer the Faithful to be freed from his Tyranny by any Authority on Earth. Thus Bellarmin; more zealously than wisely say his Adversaries. Such fine discourses never were, nor are ever likely to be made but by the King of Utopia. Kings vvho receive Christianity think not of such subtleties, nor imagine they are to treat with their Spiritual Instructors vvith those nice Cautions, which they use in making Leagues, and Treaties of War and Peace with their fellow Kings. To make Protestations, and other provisions of Security, against Chances they never do, and none but a man cunning in Chican ever would think of, as if Baptism were a bargain made in Law, wherein, if by misfortune the Writings be not exactly drawn a man forfeits his Title to his Purchase, or a man becomes liable to Eternal damnation for the fault of a Scrivener, is a conceit of a more subtle reach than is like to proceed from the simplicity with which men deal in the concerns of Eternity. However, if Bellarmin do put such thoughts into the head of a Pagan, he may very justly protest: I desire to be made a Christian, and intend to live like one, and submit to the Discipline of that Law which I am going to imbrace: but I mean to keep my Regal dignity and Prorogatives inviolate, and do not intend to be put by Baptism into a worse condition than now I am in. My Subjects are now my Subjects, and I intend they alwaies shall be so. For my self, if I deserve it, I refuse not to be expell'd from that Society of which I shall have made my self unworthy;

unworthy; But as I had my Subjects before Baptism, I will not that Baptism shall take them from me. I am a King while I am no Christian, and if I cease to be a Christian, will not therefore cease to be a King. God, not Baptism gave me a Crown, and none but God shall take it away. A Pagan, say they, may warrantably declare thus much, and warrantably even according to *Bellarmin* himself, who teaches that the Law of Christ deprives no man of any right, and when a King becomes Christian he loses no Right or Dominion, but gets a new right to the Kingdom of Heaven, for else the Benefit of Christ would be a prejudice to Kings, and Grace destroy Nature. As for the Comparifon betwixt him who pretends to the Freedom of a City, and him who pretends to Baptism, the Protest which *Bellarmin* enters in his behalf is indeed ridiculous, and overthrown by his very pretence; for a Member of a City must, by his very being a Member, be subject to the Laws and Magistrates of that City; And so a King, if he become a Member of the Spiritual Commonwealth, becomes subject to the Laws, and Magistrates, and Punishments of that Commonwealth, which are Spiritual, and may be inflicted on a King as well as other men (considering their own Natures purely, and abstracting from Circumstances, which in the case of Kings are generally such, that, if it be lawful, it is seldom expedient to use them) but for Temporal punishments, He is himself the Head of that Commonwealth which should inflict them, and must either punish himself, or cannot be punished but by God; So that to say, by his becoming a Member of the Spiritual Commonwealth he makes Himself liable to Temporal punishments, is to say, in the Case of him who pretends to be made a Citizen, That by making himself a Member of that Corporation he subjects himself to the Laws of another.

But to leave these speculations to them who Write of *New Atlantis* and the *Ile of Pines*; The Argument, say they, is doubly faulty, for it assumes what is not true,

and concludes what does not follow though the Antecedent were true. First, they deny any such bargains are made in Baptism. There is indeed an express, whether Promise, or Purpose to Renounce Satan and his Poms, but of Renouncing the Right of Kings, there is not any expression vvhich sounds like it, and for secret bargains, they are so secret, if there be any, that they are known to none but *Bellarmin*. They have lain hid for many Ages, and do so still, for any credit they give this Argument. He would infer it out of the disposition which our Saviour, in *S. Luke*, requires in him, who vvill be his Disciple. And this disposition of preferring his Love and Service before all things, they acknowledge is necessary in Baptism, and that Man unfit for it, vvho does not firmly purpose so to do. But the Question is, If the King chance to break his good Purpose, is He therefore liable to this particular punishment of being Depos'd? This particular Condition must enter into the bargain, or nothing will come of it. Otherwise our God-fathers and God-mothers have undertaken for all of us, that vve shall do all that the greatest King Promises in Baptism. And we all forfeit the Surety they have given, and break the Promise solemnly made in our behalf, and sin daily and grievously. Can we therefore without injury be turn'd out of our Estates? We must be prepar'd as vvell as any King, to lay down our lives for the Faith of Christ; if for Fear, or other frailty, we fall even to Idolatry, is it therefore lawful to knock us on the head, or if it yvere, Can the Church or Priest, before whom vve made this Promise which vve have broken, give Sentence of bloud against us? How justly soever we deserve to be punish'd, yet this punishment is not just, because we never submitted to it in Baptism, or any other way; and if we did, the Church, of all the vvorld, can the least inflict it. But the truth is, no such punishment vv as ever thought of, either by the Givers or Receivers of Baptism. If vve do not continue constant to our Renouncing of Satan, Satan vvill take possession



session of us again ; to whom the Church may ; vvhhen  
 there is just occasion, by her Power deliver us. And ;  
 if Satan be not punishment enough even for a King, and  
 the Wickedest King that ever was or will be, I am migh-  
 tily mistaken. *Bellarmin* therefore vvas less considera-  
 tive than vvhould be expected, when he talks every where  
 as if Kings, unless they were liable to be Depos'd, would  
 be vvithout punishment. Methinks Excommunication  
 might serve turn, Excommunication vvhich  
 as himself saies, is a punishment greater L. 3. de Laic.  
 than Temporal death. It being more hor- C. 2.  
 rible, as himself Cites *S. Austin* to be deli-  
 vered to Satan by Excommunication, than to endure  
 the Sword, or Fire, or be devoured by Wild Beasts.  
*Death* is the last of punishments with us of the Temporal  
 form, and if a Wicked Prince may be punisht by the  
 Church with a punishment worse than Death, I know not  
 vvhy the charitable Anger of a Churchman may not be  
 satisfied vvith it. However it be, accor-  
 ding to *Bellarmin* himself, *Excommunication* De Eccles.  
*is the most grievous punishment which the Church* C. 6.  
*can inflict : when she has proceeded so far, She*  
*has no more to do, saies Cælestin. 3.* Wherefore if Deposi-  
 tion be a thing with vvhich the Church has nothing to  
 do, *Bellarmin* may be content, if that be not done which  
 cannot be done, and e'en subscribe to *Pet.*  
*Gregorius*, teaching as learnedly as honestly, L. 26. de  
 that Rebellion against Princes, upon pretence of Repub. C. 5.  
 their Vices, cannot scape the Crime of Treason and  
 Indignation of God, and those who reign wickedly are rather to  
 be left to the Judgment of God, than the hands of Subjects be  
 polluted with Sacrilege and Parricide. God wants not Means  
 when he pleases either to amend, or take away such Bad Princes.  
 But to return to the Argument, They positively deny  
 any bargain at all made in Baptism, unless you vvill call  
 the Purpose they make to live Vertuously an expresse  
 bargain, and a submission to the Law vvhich the Bapti-  
 zed embrace, and consequently to the punishments of it,

an implicit one; as indeed, who is once Baptized, whether Prince or Private man, may upon occasion be Admonisht, and Reprehended, and Censured by the Church, but if Human frailty, and the Temptations to which our Nature is subject, make a Prince break either this Bargain or Purpose, that he should therefore be content to be Deposed, or that he Bargains to submit to any such Penalty, they flatly deny, and say, that by the same Reason, since every Private man makes the same Bargain in Baptism which any King does, every Man that Sins might presently without injury Done him, have his Estate Confiscated, or be sent to the Gallies or the Gallows: Which would make strange vwork in a World so frail as ours. And for this Reason they deny the Consequence, as vvell as the Antecedent of this Argument. For, say they, although a Prince should bargain to forfeit or Crown or Life, if he forfeit his Faith, unless he bargain expressly that the Church or Pope be Garranty of this Treaty, and give them power to proceed to Deposition in case of Failure on his part, nothing is done, and they have otherwise no power to do it. For all the Power they receiv'd from God is Spiritual, and is not meddle with matters so Temporal. So that a King must not only submit to the Churches Power, but create in her a Power which God gave her not, or nothing vwill come of it.

Upon the whole they say two things which seem remarkable enough. First, that this claim from Bargain or Promise, whether express or tacit, plainly evinces there is no Internal proper Power in the Church to Depose Princes, for then there were no need of this External Right by bargain; besides, that if such Power accrue to her, as it cannot be other than according to the express Terms of the Contract, so it vould not be Indirect, as *Bellarmin* pretends, but as Direct as can be imagined; there being in the World no Power more Direct than I have over those things for which I have bargain'd. Next, they say, that *Bellarmin* manifestly contradicts what

what other Divines, and himself vvith them, teach of the Nature of the Promise made in Baptism. *Suarez* observes, that this Promise is not to be understood a proper Promise or Vow made to God, but only an Obligation which the very Profession of Christian Religion made in Baptism induces, by reason of the Divine Law, and Power granted by Christ to his Church. Which I take to signifie, Whereas in things in vvhich we are otherwise free, we can oblige our selves by Vow or Promise (as vvhen I Vow to give Alms, or do any other good Work) and this Vow induces an Obligation vvhich otherwise I had not; but in things vvhere we are otherwise obliged, if I Vow to perform them, I am oblig'd to no more by my Vow than I was before; that the Promise made in Baptism is of this second fort, and People were oblig'd to the performance of the Christian Law then receiv'd, although they made no promise so to do. So *Bellarmin* else- *De Monach.*  
 where teaches, *That the promise, made in C. 19.*  
*Baptism, is nothing but a testification, or accep-*  
*tation of the Obligation, which the Law of God brings with*  
*it—Neither are the Baptized bound to any, either Explicite*  
*or Implicite intention of obliging themselves farther, than as*  
*they are oblig'd by the Law of God. And farther, That Bap-*  
*tized Christians are forced by the Church to keep the Laws of*  
*Christ, not so much in virtue of their Promise, as out of this*  
*that they are become Members and Children of the Church, and*  
*every Member is subject to the Head, and every Child by the*  
*Law of Nature to his Parent. Wherefore manifestly,*  
 either the Law of God obliges Princes to submit to  
 Deposition vvithout any bargain of theirs, or this Bar-  
 gain he talks of leaves them as free as they were be-  
 fore. If the Law obliges them, 'tis to no purpose to  
 mention Bargains; if it do not, 'tis to no purpose nei-  
 ther, since their Bargain signifies nothing, for they  
 bargain no farther than to observe the Law. And the  
 Argument amounts to this; They bargain to be Depos'd,  
 because they bargain to observe the Law which obliges  
 them.

them to no such thing. Besides, if we examine a little more narrowly, and ask by what Law of God Princes become liable to Deposition, *Bellarmin* Answers 'tis by Bargain, which is not to be liable by the Law of God: And if we ask again vvhether any such Bargain appears, He tells us, 'tis not an Express, but a Tacit Bargain, imply'd in the Law of God; which is plainly to prove the Bargain by the Law, and the Law by the Bargain; and, that is such a kind of Argument as, I think they call a Circle, but sure 'tis none of the best, nor needed have been so much esteemed by *Bellarmin*.

There follows an Argument which you had light upon, and propos'd to me. vvith so much smart Gallery in a former Letter, from the Comparifon of the Chief Polittour in the Church to a Shepherd. Which in short is this. *When it was said to S. Peter Feed my Sheep, all Power was given him which is necessary to a Shepherd in regard of his Flock. But a Shepherd must have Power against Wolves and Rams that they hurt not the Sheep, and Power to provide, as is convenient, for the Sheep themselves.* Then applying the Notions of all Three by similitude to Princes, as you have formerly observed, he concludes *The Pope has Power over them in respect of every one.* They Answer, there is more wit than solidity in this discourse, Similitudes of all other being the worst Topics, and which affords the weakest Arguments, as seldom running, in the School Phrase, of all Four. The Metaphor is generally, and more fitly understood, so that by *Wolves* are meant *Persecutors*, by *Rams* the *Prelates* of the Church, and by *Sheep* the rest of the *Faithful*. But allowing him to use the Similitude as he pleases, and apply it after his own fashion; to talk vvith him in his own language, they observe many differences betwixt a figurative and real Wolf, a figurative and real Sheep, and many defects in the Similitude, and Reasons vvhy the Argument concludes not, even keeping vvithin the terms of the Metaphor. But to consider the Thing; Here, say they, the Church is compar'd to a Flock, as it vvias before to a Common-

Commonwealth, and may to be a City, or Family, or Ship, or Army, or twenty things more. All these several Comparisons make no difference in the things compared: For, whether you consider the Pope as Prince of a Spiritual Commonwealth, or Shepherd of a Spiritual Flock, his Power as Prince is not different from his Power as Shepherd, but the same, and if you consider it according to all the Comparisons, of which it is capable, 'tis still one and the same, and that a Spiritual Power. Wherefore all the Similitudes, that are or can be, will never make it other than it is; and the Pope, whether he be lookt upon as a Prince, or a Shepherd, or a Pilot, or however he be considered, can do no more than a Spiritual Prince, and a Spiritual Shepherd, &c. Now when *Bellarmin* Argues, the Pope is a Shepherd, and a Shepherd may drive away or kill a Wolf, and an Infidel Prince is a Wolf, all this, say they, even allowing the Comparison, is to be understood of Spiritual driving away, and Spiritual killing. But when he infers, Therefore he may Depose him, he passes from Spirituall to Temporals, and leaves his Allegory and the truth too. The Pope may Admonish and Command the Flock not to follow the Wolf in what he is a Wolf, but in what he is not a Wolf, but a Shepherd himself, what ever the Pope say to the contrary, they are bound to obey the Power which God has set over them. It is by Divine Law that Subjects obey their Prince, and Princes cease not to be Princes by turning Infidels, nor Subjects to be Subjects by becoming or remaining Faithful: And that all the Similitudes in the World should dispense with the Law of God, *Bellarmin* may talk as long as he will, but they will not believe him.

For the rest these kind of Arguments, if too much credit were given to them, would make mad work. Every Bishop, and every Curate is as truly a Shepherd as the Pope. Their Flocks indeed are not so large, but they are truly Flocks, and suffice to denominate their Governours with propriety Shepherds. If this quality



enable him who has it to Depose a Prince ; there is no remedy but every Bishop has Power to Depose the King who is of his Diocess , and every Curate him who belongs to his Parish. And since Private men have something less Title to their Estates than the King to his Kingdom, if Kings be subject to this Power, Private men are much more ; and so, because the Argument with a little more stretching would reach to every Sin, within a little while every Sinner might be dispossess'd of his Estate at the pleasure of his Bishop or Curate ; which in time would make such work, that People would go near to hate all Arguments , and all Scholars for *Bellarmin*s sake, and as the *Turks* do, Forbid all Learning that they may live in Peace and Security. Besides, if the fancy should take a man to apply this very Allegory to Princes ; for if it were said to *S. Peter*, *Feed my Sheep*, it was of *Cyrus*, I say to *Cyrus*, *Thou art my Shepherd*. *Isay 44.* and of *David*, *Thou shalt feed my People Israel*, *1 Paral. 11.* and then apply this Notion of the Wolf , and furious Ram, to a wicked scandalous Pope, over whom he must have Power if he cannot otherwise preserve his own Flock ; *Bellarmin* must either unravel all he has weav'd here , or Princes will have more Power over Bad Popes than he will think fit to allow them. In the mean time, of the two waies by which he saies in *Rom. Pont.* his Doctrine may be prov'd, Reasons and Examples, These are all he produces of the first kind. You will judge of them, while I pass to the other.

He brings in all Twelve, Two in the Old Law, and Ten in the New. Those of the Old are *Ozias* depos'd for Leprosie by *Azarias*, and *Athalia* by *Joiada* for Idolatry. Of these two, one was never Deposed, and the other never a Queen, but by Usurpation. *Ozias* for his Presumption was miraculously struck with Leprosie, and by the Priests according to their duty, and the command of the Law, put out of the Temple , and separated from the People : but, for the rest, continued King till his dying day , his Son supplying his place in what his Disease permitted him

him not to interpose himself. *Athalie* endeavoured to settle her self in the Kingdom by the Murther of all the Children of *Ochozias*, but was mistaken. *Joas* was saved by his Aunt *Jehoseth*, and, by the honesty and credit of her Husband *Joiada*, put in Possession of the Regal Dignity, whereof the Right had been in him all the while. So that the Argument from this Instance stands thus. The High Priest amongst the *Jews* was instrumental in placing his true Sovereign in his Throne, therefore the High Priest among the Christians may tumble a lawful Sovereign out of his Throne, which for a man of *Bellarmins* Vogue is something oddly Argued.

His Third Example, and First from the New Law, is, the dealing of *S. Ambrose* with the Emperour *Theodosius*, whom, after a Cruelty commanded by him in a transport of Anger, he admitted not into the Church, till he had Repented, and made satisfaction. I know not, but methinks he makes the most unpromising entry into his business that may be. In the former Instances, one had no Deposition, the other, no Lawful Prince to be Depos'd, and in this there is neither Deposition, nor Pope to make it. *S. Ambrose* was Bishop of *Milan*, not of *Rome*, and I hope he will not extend this Deposing Power to every Bishop. However, what he did, not only every Bishop, but every Ghostly Father, may do both lawfully and laudably. It is the Office of Churchmen to induce Sinners to Repentance if they can, and perswade them to those Remedies which may hinder them from relapsing into the same faults; And they have here the Zeal of an excellent Prelate, successful with an excellent Emperour, for their encouragement; and this is all I can perceive in this passage. The Fourth is a Priviledge of *S. Gregory* the Great to a certain Monastery in which there is this Clause; *If any King, Bishop, Judge, &c. violate this Decree, of what Dignity or Degree soever he be, let him be depriv'd of his Honour.* This they take to be a form of Imprecation, not a Legal Decree, as when he saies a little after, *And let him be damn'd in the lower Hell with Judas the Traytour,*

&c. or as the stile of *Bulls* now is; *Let him know he shall incur the Indignation of God, &c.* For they think, that for the Pope directly to command People should be damn'd, is not very commendable in him, nor very wise in any who should think he does so. Wherefore to look upon these kind of expressions as other than Threats, by which men may be frighted from Wickedness, they conceive is both against *S. Gregory's* Sence, and Common Sence too. The next is the Example of *Gregory the Second*, who forbade Tribute to be paid to *Leo the Iconoclast*; and this is one of those Stories which *Onuphrius* reckons amongst Fables, and *Platina* expressly denies, for he saies the *Italians* were so exasperated against the Emperour, that the Pope was feign to interpose his Authority to keep them from choosing another Emperour. So that till the matter of Fact be agreed, 'tis an uncomfortable and useles Emploment to busie our selves with thinking what will follow out of it. There follows the Deposition of *Chilperic King of France* by Pope *Zachary*, with vvhich they make quick work, and positively deny it; not that the King was Depos'd, but that he was Depos'd by the Pope. The *French* indeed consulted him: (as they might have done any other, whose Credit they had thought useful to their purpose) vvwhether were more truly King, He who managed all the Affairs of the Kingdom, or he who had the bare Title; but medled with nothing: And He answered the former. And this was all he did, for the rest, what was done, was done by the *French* themselves. Not but that 'tis likely, he understood well enough the meaning of the Question, and was inclin'd to favour *Pepin* all he could, but he did no more; and those who did, have long since given account to God of their action. I know not of what humour the *French* were in those times, but he that should at this day maintain in *France*, The Pope has Power to Depose their King, would go neer to be confuted with a Halter. The Seventh and Eighth Examples are, The Translation of the Empire to the *Germans*, and setting the Electours who are to choose the

the Emperour. This is a Question of which *Bellarmin* has written Three entire Books, and is of more both importance and labour than to be treated with any exactness in a Letter. That which *Withrington* Answers is in short, That the Pope concurred to the Translation of the Empire, and Nomination of the Electours, not as acting by his own sole Power, but as one who, for the place he held, had much, and perhaps more Interest in the business than any other. To which purpose he Cites *Mich. Coccinius*, saying, that *The People of Rome, and the rest of the Nations of Italy oppressed by barbarous People, and not only not protected by the Grecians, but ill used too, and assisted by their Avarice and Imperious humour, transfer'd the Empire from the Grecians to the Germans in the person of Charles the Great.* And 'tis not to be doubted, saies he, that this Translation was made, and had its force and efficacy from the Consent and Authority of the People of Rome and the rest of Italy. And whereas *Innocent the Third* Writes to *Bertoldus*, That the Apostolic See transfer'd the Roman Empire from the Grecians to the Germans; We do not grant the Apostolic See transfer'd it otherwise, than by Consenting to those who did, or by declaring it ought be transfer'd, but the Translation had its force and strength from the Consent of the People. To which purpose he alledges also *Card. Cusanus*, speaking in this manner: *Whence the Electours ordain'd in the time of Henry the Second by common Consent of all Germans, and Others subject to the Empire, have their Radical Power from this common Consent of all, who by the Law of Nature could choose themselves an Emperour not from the Pope, in whose Power it is not to give a King or Emperour to any Country in the World, without its Consent. But to this concurr'd the Consent of Greg. the Fifth as of the single Bishop of Rome, who for the Degree in which he is, has an interest in Consenting to the Common Emperour. And rightly; as in General Councils His Authority concurs in the first place by Consent with all the rest who make the Council; the force nevertheless of the Definition depends, not on the first of all Bishops, but on the common consent of all, both of him and the rest.* This is what

what they say, How far it is to be allow'd is another Question. The Origin of Empires, and Rights of Princes, are things I have more disposition to admire and reverence, then Dispute. In the mean time here are Eight of his Twelve Examples, which you see are all Contested, how rationally you will judge. Those which follow are of *Gegory the Seventh*, who Deposed the Emperour *Henry*, and Three Popes more who followed his Example; to which he might have added several other, it being acknowledged that after *Gregory the Seventh* had once begun, many have imitated him, and almost all claim'd a Power to do so. But as He was the first unquestionable Author of that till then unknown Fact, so they maintain, that Fact was unjust in him, and not allowable in any of his Successours. They Answer then first with *Jo. Paris*. That Arguments are not to be drawn from such singular Facts, which proceed sometimes from Devotion to the Church, or from some other Cause, and not from Order of Law: And with *Greg. Tholof.* From hence I gather only, that 'tis a difficult Question, Whether Popes can Depose Emperours or Kings, who formerly had Power to make Popes? Besides, there are found divers Depositions of Popes by Emperours, as well as of Emperours by Popes, so that there has been a great Vicissitude in these things. Whence 'tis a bad way of Disputing to argue from Fact, and the Examples of Deposition. — Out of all which, Ambitious disturbers of the Commonwealth, Usurpers of Kingdoms, and Rebels to their Lawful Princes may gather first; That every Deposition of Princes is not therefore just, because it has been done, for all Facts are not just; and secondly, That no such Consequence ought to be made, there is an Example of such a thing, therefore the like may be attempted again. And in the words of *Bellarmin* himself, *De Rom. Pont. L. 2. C. 29.* speaking to the Instances in which Popes have been Depos'd by Emperours. Such things, saies he, have been done, but how justly let them look to it. — 'Tis plain that *Otho the First* Depos'd *John the Twelfth* with a good Zeal, though not according to knowledge, for this *John* was one of the worst Popes that  
ever



ever was. And therefore no wonder if a Pious Emperour, as this Otho was, but not so skillful in Ecclesiastical Affairs conceiv'd he might be Depos'd, especially since many Doctors thought so as well as he. For 'tis one thing, saies he in Tertius, to bring Examples of Kings (saies he, of Popes, say they) and another to prove their Power and Authority. Secondly, They Answer, that if it be a good Proof that a thing may lawfully be done, which has been done before, the Wickedest things in the world may be prov'd Lawful. People may lawfully Rebel, Public and Private Faith may be broken, Commonwealths may be overturn'd, &c. for all these things have been done. And without more adoe Popes may be Depos'd by Emperours, as well as they by Popes, for that has been done too. Lastly, and with a little more smartness, They say this way of Proof plainly begs the Question, and assumes the very Point in Dispute. Bellarmin affirms, and his Adversaries deny, the Pope may justly Depose Princes; now to Argue, *He has Depos'd them therefore He justly may*, assumes, That what he has done is Just, which is the very Point they Contest with him; and therefore think it had been something shorter, and altogether as much to purpose, to have said, *'Tis just because 'tis just*. Every body knows Popes have both challenged and used a Deposing Power, but every body is not satisfied that this Power is justly due to him. Bellarmin undertakes to prove it is, and brings for an Argument, That he has us'd it, which no body denies, and would have that conclude, That therefore he justly may, which if his Adversaries had thought a good consequence they had not put him to the trouble of making it. For they knew and acknowledged the Antecedent enough before. But they think the Popes did amiss who did so, and if barely saying that they did the thing, be proving they had right to do it, they confess they are in the wrong; but if it be not, Bellarmin is so, and should have considered that barely to say his Tenet over is a kind of Proof which takes with none but very good natur'd people,

People, and as far as I see his Adversaries are a little more stubborn.

I am so weary with long Writing, that I must intreat your permission to refer what remains to another opportunity. I will hope I have said enough to quiet your suspicions, and am sure I have said so much that I need some quiet my self, and must take leave, after so long a Journey, to rest a while.

*Your, &c.*

*The Ninth and Tenth*  
OF THE  
**Controversial**  
**LETTERS,**  
O R  
Grand Controversie,  
Concerning  
The pretended Temporal Authority  
of *POPE S* over the whole Earth,  
And the  
True Sovereign of *KINGS* within  
their own respective Kingdoms.

Between two English Gentlemen,  
*The one of the Church of England:*  
*The other of the Church of Rome.*

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L O N D O N,

Printed for *Henry Brome* and *Benjamin Tooke*, at the Gun;  
& at the Ship in *St. Pauls Church-yard*, 1674.

The Ninth and Tenth  
OF THE  
CONTROVERSIAL  
LETTERS  
OF  
Grand Controversie

The pretended Temporal Authority  
of POPES over the whole Earth,

And the

True Sovereign of KINGS within  
their own respective Kingdoms

Between two Englishmen,

The one of the Church of England  
The other of the Church of Rome.

Printed for Henry B. and J. Jackson, T. and J. the Gun  
at the Ship in St. Pauls Church-yard, 1674.

FRIEND,

**E**xpect that which you say remains with much impatience, and tis only to tell you so, that I now write; for I do not intend to give you my thoughts of your last, till I receive your next. Only let me tell you it wambles in my stomach I know not how, and works not kindly: but because your next possibly may fully settle me, I will not yet complain. But methinks this next opportunity of yours is long a coming. Have you been sick? or diverted with business of greater consequence then clearing your self, and your Church from an aspersion, of which I take no joy to tell you, the suspicions are more pregnant than I wish they were. For 'tis undeniable that Tenets inconsistent with Government are maintained among you. You say they belong not to Religion; and that indeed is something, but not enough. This may serve in some measure to justify your Religion; but nothing at all to clear your selves: For what matter is it whether your Religion be innocent, if all that profess it are guilty, though upon another account. If you think these Tenets true, you will be apt to practise them at one time or other, although they do not belong to Religion. Religion indeed is the strongest Principle of action, but not the only one. It is no part of Religion that two and three make five; but yet if you do think to pay a debt of five pounds, with twice forty shillings, no body will deal with you. And if all the Papists in *England* adhere to these Doctrines, whether this adhesion of theirs proceed from Religion, or any other motion, the men will be unsafe and irreconcilable to the security of their Country, let the Religion be what it will. But if there be any who think them false, it were convenient both for the satis-



faction of their Prince and Fellow subjects, and the interest of the thinkers, People should know who those *any* are. We cannot know your thoughts unless you acquaint us with them. And because we have reason to believe, that some do hold them, and no reason to believe of *any* particular man; but he is of the number till he disclaim them, what can we do but involve you all, guilty and innocent, if there be any such, in the same condemnation of diffidence.

You tell me the *French* plainly and openly condemn them: The honestest men they; and the more shame for some body that there should be more honesty found in *France* than *England*. You should do as they do though 'twere but to be in the mode. In all their airy toys, their Feathers, their Perukes, their Pantaloons you can follow them fast enough. But when they play the men, and set you examples of praise-worthy actions, there you are content to be out of fashion; as if it were an honor to be as light as they, and a shame to be as wise. But pray what security is it to *England*, that they are good subjects in *France*? If they were knaves all over the rest of the world, and we all honest at home, it were a great deal better for us than that they should be honest abroad, and we knaves at home. I perceive indeed by what they do, that you tell me true when you say these Tenets are no points of your Faith: But then methinks you should have the less difficulty to disclaim them. Unless perhaps you think them true; which if you do, either make them out to be consistent with government, or you will not be consistent your self. I tell you plainly I shall think ill of you, if you think well of these Doctrines, unless you can shew them innocent and safe: which as far as I perceive you do not go about to do, and when you offer at it, may, I believe, with as much hope of success offer at the Philosophers stone.

In other Countries you tell me; They are more reserved, and will not say *you can not*, but *you shall not*. And I believe you have liv'd in those other Countries, and suck'd their

their Politics with their Air. But for my part I must confess I am for the mode once in my life, and would be of the *French* fashion in this particular. 'Tis true as long as there is good intelligence betwixt Prince and subject, and the Peoples affections carry them to their Sovereigns interests, this *shall not* may do pretty well. For no effect can follow from a Power which is hindred to work, and 'twill be alwayes easy enough to find a pretence for not doing what we are before hand resolved shall not be done. Neither did I ever think the *Pope's* Power so strong, that it was likely to prevail where Prince and People both joyn against it So that in this case your *Can not* and your *Shall not* are two lines which meet both in the same center, *no deposition*. But what becomes of a King, if his subjects be not affected as they should? A mule is not more humerous than the Multitude, nor can boggle more extravagantly, and upon less occasion. And though they be well disposed, are subject to be wrought upon by the artifice of those who are not, and easily possess with a thousand jealousies and fears, from which even those who possess them perhaps are free enough themselves. If upon any capricious toy of their own, or crafty suggestion from abroad they come to wish the Princeless Power then he has, and that he stood in awe of some body, 'twill be the easiest thing in the World to perswade them that what they desire should be true, is so, and that he is subiect to the *Pope*, whose claim is as fair as any, if they would have him subject at all. And where's your *Shall not* then? I fear he will go near to repent the modesty of his Politics, and find too late that by delaying to fix the *Pope's Can not* in the minds of his subjects, he has brought a worse *Can not* upon himself, a *Can not* avoy'd being turn'd out of his Throne. If in such a posture of things he would but go about to perswade the People of the *Pope's Can not* on all likelihood 'twould incense them more, and make them think it yet more just he should be deprived of his own right, who would invade the right of another. For if it be nottruly the *Pope's* right, why did he suffer it to pass uncon-

uncontroul'd so long, and now begin to question it when it makes against him? But let them do what they will in other Countries, and follow such Maxims as they conceive fittest for them. Plain dealing suits best with the *English* Natures, and will I believe prove the best Policy. If they think good elsewhere to let their security depend on tricks, much good may their Policies do them: I should be sorry it should be taken for good Policy here. However I recommend plain dealing to you; for why should you go beating about the bush when your mark is fair before you? But I forbear to press you now; If your next please me not you are like to hear more. I have nothing to do at present but to intreat you would dispatch it away by the first, and to assure you I am

TOWNS, &c.

FRIEND,

I Have been neither busy nor sick, but only of the lazy disease, Idleness; which is sickness and business both, or as bad; and should perhaps do better to continue idle still, than be longer busy with this subject. Your silence made me hope my last might have serv'd turn, and excus'd me from dealing farther in an argument to which I have no fancy. But it seems you are not satisfi'd. When I know what 'tis you stumble at, I will do the best I can to keep you upright. But when you talk of plain dealing, I know not what you would have. To acquaint you plainly with what People say, is plain dealing in my judgment; One can hardly dogmatize without some subtilty, but the *Historian* is a plain man. I hope you have no just cause of exception against my relation hitherto, and I shall endeavor to give you as little in the progress, which since you so much de-

I. re

fire to know, take it without more ado, and take this consideration along with you, that we are now come to the *Triarii*. The Arguments which made up my last Letter were such as occur'd to *Bellarmin* when he had no opposition to help his fancy, and expected none, at least from those of his own communion. Afterwards *Barclay* in *France* and *Withrington* in *England* write both against him. And as opposition is the best whetstone of wit, the sight of what can be said against us on the one side enlarging wonderfully our prospect of things, and representing them in a clearer view, and on the other, the shame of being worsted, and pleasure of victory streining our abilities, and pressing from them all they will afford. We cannot but look upon these later productions of his as the uttermost he was able to do. For certainly, he omitted nothing which he thought could be said in his defence. You will therefore observe these Arguments with more attention, while I relate them with the same fidelity. They are principally four, all in his Book against *Barclay*. *Schalckenius* has the very same, sometimes a little differently worded, sometimes not all. So that I perceive they are what they finally bide upon.

The first is this. That it is certain and manifest that the Pope upon just cause may judge of temporals, and sometimes depose temporal Princes, we prove first from the common consent of Writers whose words I have related at the beginning of this dissertation (where he had alledged no fewer than 70) For what Doctors teach with a common consent in different times and places, that the Universal Church is believed to hold and teach. For God therefore placed Pastors and Doctors in the Church. Eph. 4. that the people should follow them as their guides, and not recede from them, unless perhaps they see some one bring in some novelty against the common doctrine, as *Barclay* at this time has done. This is the first Argument which speaks big, and makes a magnificent shew, engaging no less than the Universal Church it self. But sure *Bellarmin* either forgot himself, or thought his Readers would, when he objects novelty to *Barclay*. Novelty was the very thing objected against his opinion

opinion when it first broke out in the world, in the time of Gregory VII.

*This Novelty (not to call it heresy) was not yet Vin. Bell. crept into the World, &c. says one. That (the independency of the two supream Powers) was the true opinion of all the antients, and if doubts be newly started by a sinister desire of pleasing in many, let the old be Cusan. recalled says another. And does he now pretend antiquity? He who of all the men in the World, a body would think, has the least reason, when the most ancient Author himself can alledg in prof of this old doctrine of his, is Greg. VII. the man who began this bustle, and was charged with novelty for doing so, and after all liv'd but in the 11th. age. Since Christ's time what is once new in the Church is alwaies new. For 'tis not with doctrines as with fashions. A new doctrine can never grow old, nor an old doctrine new. To fix antiquity on what was not heard of in the Church for ten ages, is with the confidentest, and he must trust much to his Rhetorick, who goes about to perswade it. In the mean time John Barclay, in defence of his Father, has reason to say that this leaving the common consent is not to be objected to him; but to those who spring up in later ages, teach against the torrent of the Ancient Church.*

But to his Argument. Of the 70 Authors which he produces out of Italy, France, Spain, Germany and Britain, and all since Greg. 7. with whom he begins, a great part are Canonists, many such Divines who go their way, and only use their Arguments; some are not for him, and others plainly against him. At least John Barclay says so, who examines them all particularly. For my part I intend not to take so much pains. To read threescore and ten depositions and sift them one by one, is beyond my patience. A man would sooner loose an ordinary cause then carry it at the expence of so much toyl. But if I mistake not, satisfaction may be had at a cheaper rate. The Topic is Authority, and that to my apprehension is efficacious but in two cases. One, vvhhen the point in question is beyond



yond the reach of reason, as in Mysteries of Faith, which because the shortness of human understanding cannot comprehend, there is no means for men to lay hold of but by relying on such an understanding as can and does. Thus Religion is believ'd, because much of it cannot be seen, and our security is the Authority of our first Teacher God and Man, who we are sure saw himself what we could not, and brought good evidence that he did so. And so upon the matter we see with his eyes what we cannot with our own. The other case which requires Authority is from a contrary ground, not from the abstruseness of the points propos'd, but weakness of the understanding to which they are propos'd. As when I press something upon another, whereof I could bring proof good enough, but his dulness cannot take it. Here again Authority is all the Argument which can be used. If I have not credit enough to perswade him to believe me, there is nothing to be done. You may say, if you will, there is the same reason in both cases, viz. Weakness of Understanding; only in the first, the weakness is general, and extends to all mankind; in the second particular, and belongs but to some. But which soever you say, I do not remember that Authority is otherwise conclusive. Wherefore this point of the *Pope's* Power must either be of a Nature too sublime for any understanding to reach, or it cannot be prest by Authority but only upon the weak and dull. I know not which of the two *Bellarmin* fancied, when he chose this Argument, but in my opinion they are wild fancies both. If he thought it so sublime, how came he by it himself? And to what purpose does he bring so many reasons to prove what is above reason, and not attainable by it? There is no way to climb to such a height but by immediate steps of one to another, whereof the first had it with the rest of the Mysteries of Religion, from Christ himself. But as this way is neither endeavoured nor pretended, so it would place the point in the same degree of obligation, with the belief of the Trinity, Incarnation, and the rest; which, to omit the known untruth and what

else might be said, would leave no excuse for communicating with those who openly disavow it. Then to think all men weak and dull, and none able to look upon the dazzling lustre of those reasons by which the point may be prov'd, and upon that account descend to Authority, is as much on the bow hand on the other side, and a fancy which seems hardly credible in so modest a man as *Bellarmin* was. And yet one of the two must be sayd, or I know not what place there is for Authority. Of a thing which can it self be seen, and to those who can see it, it seems to as little purpose to talk what others say of it, as if, to perswade men that this ribond is green, and the other blew, I should spend time in numbring how many thought so, when 'tis but shewing the ribonds and every body can tell what their color is.

To my apprehension therefore the whole Topic seems improper and ill chosen. Notwithstanding let us see what it will do. And in the first place methinks it were convenient to take along with us what Authority means, and how they ought be qualified who can pretend to it. And because I intend not to make a common place of it, and swell my Letter by delating farther then is necessary, I shall mention but one qualification; but such an one as in my opinion is very requisite, *viz.* That those by whose authority others are to be perswaded, do themselves know that to which others are to be perswaded. For I observe the world is a little resty and unwilling to be led by those whom they account weak and shallow. And then this Authority is an Argument, which does not render the truth apparent to the eyes of those who accept it upon Authority, but suppose it seen by Authority, and in vertue of that sight to be believed by other folks. But if it be not seen by those whose Authority is prest upon me, I can not imagine what title they can pretend to Authority, nor in vertue of what I can be prest to follow it. For certainly if I be blind my self it is very unreasonable I should take for a guide one who is as blind as I am. When one blind man leads another, we know what becomes of both.

Now

Now because a conclusion is not seen till it be rightly prov'd, among those seventy men of Authority whom *Bellarmin* alleadges, there must be some one or more, who has severely prov'd the point in question, or neither he nor any man else can say that any of them saw it. If there be no full proof among them all, there can be no Authority, nor reason why others should take them for Guides, who for any thing we know are themselves blind, as well as those whom they would lead. If there be, shew the ribond without more ado, and never amuse us with what other people say of the colour. It is a much shorter and much easier way for him to produce, and us to see one good proof, then to stand listing the depositions of 70 men whereof 69 perhaps speak little to the purpose. And after all too, this proof must needs appear at last; for till it do, as I come from saying, there is no reason we should believe those who, for ought appears, know no more than we who are required to believe them.

But to make this matter as plain as I can, what is the reason, when a man affirms a thing without proof, there is so little obligation, that on the contrary tis lightness to believe him? I suppose, because bringing no proof (and by no proof I mean no sufficient proof) he may for ought appears be mistaken, and we with him. Why then instead of one put twenty that say it, or if you will a hundred, or as many as Arithmetick can number; and put them to bring no more proof then the single man, in what is their case different from his, or how am I excus'd from lightness or secur'd from error if I believe them? Wherefore, either produce the man who brings sufficient proof, and let us see that sufficient proof of his, and let alone the 69 Cyphers which stand before him; or if none can be produced, 'tis a clear case they are altogether so many insufficient proofs, and to think that number is sufficient, when every particular is insufficient, is to think that a great many nothings vwill make something.

And this is the case of *Bellarmin's* Authority, which yet has something particular in it. Of his 70 Witnesses

half are either Canonists, or such who professing other studies, rely in this point on the Arguments of the Canonists. These Arguments *Bellarmin* himself thinks faulty, and has taken successful pains to confute. Now would I fain know what great necessity there is of believing those, who I know before hand have themselves no reason to believe what they tell me? To offer me these, is plainly to offer me error for security against error, and to make me believe that I shall not be deceiv'd if I follow those who are, and that the way to go right is to go after those who stray. I know *Bellarmin* thinks them right in the main though they mistake in a circumstance; for example, that they think well of the power, though they are out in thinking it *Direct*. But if they miss and mistake all in the circumstance; how can I know but they do so in the main? 'Tis plain they all mistake when they say 'tis *direct*; therefore their consent in saying a thing, does not make that thing to be true; wherefore neither can the other, in which he thinks they say true, be therefore true, because they say it, and this even in *Bellarmin's* Judgment. And that he should press that on another which he does not value himself, seems a little unreasonable. Then for the other half who go upon other grounds than the Canonists, I will take the liberty to suppose they go upon the same with *Bellarmin*, or worse. For he was too judicious a man, to back good arguments, and choose bad in their rooms. Now what his are, (besides what you will find here) you know by my last. If any man think them good, he may for me. But this is clear, that no number of men perswaded by these arguments can add more strength to the conclusion than those arguments give it. And so we are just where we were. If the Arguments be sufficient to prove the conclusion, the business is done, and Authority superfluous; if they be not, what he calls Authority is but a number of insufficient proofs, or of men led by them, which insufficiently proofs I am desired to take for sufficient proof. And this in plain *English* is to desire me, because those who are deceived are a great many,

many, to believe they are not deceived; as if by adding black to black and laying on black enough the wall would become white. I know that number generally carries with it a fair perswasion (especially where the men are otherwise considerable) that they are not all mistaken. But of the one-half of these, *Bellarmin* assures us they actually are mistaken, notwithstanding their number; and whoever does not approve *Bellarmin's* Arguments can not but think as much of the other half. Wherefore it must of necessity rest upon proof at last, and this Topic of Authority might, in my opinion, have very well been spared. For if any can see the conclusion prov'd, he needs no Authority, but is oblig'd in vertue of that light to stand to what he sees, though there were none in the world of the same judgment with him. But to those who cannot, this Authority is a bare saying without proof, that is no Authority.

However *Bellarmin* tries to make it up, and intitle the Church it self to the sayings of his 70 men. *What Doctors teach*, sayes he, *with a common consent in different times and places, that the universal Church is believed to hold and teach. For God therefore placed Pastors and Doctors in the Church. Eph. 4. that the People should follow them as their Guides, &c.* I think, to make this Argument look any thing like, to his *common* he should have added *universal* consent. For if Doctors teach differently, many one way, and many the quite contrary, I hope the Church ought not to be believed to hold and teach what both teach; or if she do, she must plainly be believed to hold and teach contradictions. Now for *Bellarmin's* 70 Canon hath alledged more then twice 70 on the other side. How then is it possible to find the Churches doctrine by the consent of her Doctors, when they are so far from common consent that they teach direct contraries? Again, to universality of consent there goes universality both of time and place. *Bellarmin* either thought of no more, or could produce no more than out of the Western Church. I hope he does not think the Church confin'd to the West. In all  
contro-



controversies of Faith, others and he himself uses to produce testimonies from other places. We hear of S. Cyprian, and S. Austin, S. Basil, S. Cyril, S. Jo. Chrysostom, Origen, Tertullian, &c. whereof none belong to the West: Can that consent be universal to which there concur none of these once so famous parts of the Church? Then for time he begins with *Greg. 7.* and he liv'd but in the 11th. age. Are 10 whole ages so inconsiderable, that they make nothing to universal consent? These links can never hang well together that have such a gap in them, nor is it possible to be believed the Church should universally teach what none of all her Doctors in ten ages mentioned. Alas! how little substance there is in these great words *common consent and the Church*: But God therefore placed Pastors and Doctors that People should follow them, very true. But when God placed those Pastors and Doctors, he put into their mouths the Doctrine which they should preach and teach. So far as they deliver that doctrine, they have his Authority for their warrant, but no further. If they will teach any other truth, they may without doubt, provided they can make it appear to be Truth; in which case the evidence by which they can make it appear is their warrant, not the Authority of God; and provided farther that what they teach in this manner be neither prest by them, or accepted by others as part of the Doctrine which they are commissioned by Christ to teach, but as found out by their own or other mens whether industry or luck. For these Pastors and Doctors cease not to be men by becoming Pastors and Doctors, and men cannot be hindered from doing like men, and using their reason, and discoursing as well as others, and now and then as ill. In which cases, though the material men be Pastors and Doctors, yet now they act not as Pastors and Doctors, but barely as men. Daily conversation furnishes us with a hundred examples of the like nature. A Judg for example is a Judg as long as his Commission lasts; but how few of the mans actions belong to the Judg? He governs his Children as a Father, his Servants as a Master, he discourses

discourses as a Scholar, he eats and drinks and sleeps as a meer man. 'Tis the Judg who does all these things. But certainly if he have a bad palate, for example, and chuse unwholesom food for sophisticated wine, none will think he makes that choice in vertue of his Commission, or that the Prince or State are concern'd in the errors of his Palate. So 'tis with Pastors and Doctors. In what they act by vertue of the Commission given them by Christ, so far they are Pastors and Doctors, in other things meer men; which men are indeed Pastors and Doctors; but extend not that Authority to things not included in their Commission. When they tell us this Doctrine we have receiv'd from our Predecessors, and they from Christ, and tell us this with an universality of consent both for time and place, we must hear and obey Christ in them whose commission they execute. But when they discourse, lay down their assertions, and bring their proofs, by *Bellarmin's* favor, we have no more obligation to be led by them then the strength of their proof layes upon us. For now they are no more Pastors and Doctors, then the Judg is a Judg when he tells a story, or delivers his opinion in a point of Law by way of discourse, and without giving sentence. For my part, I conceive the Church so far from being engaged by the opinion of 70 men, though they be all Pastors and Doctors, that I believe it very possible, that all the material Pastors and all the Doctors in the Church, and all the Sheep and Scholars too, may be perswaded of a thing which the Church taken as a Church, neither believes, nor has any thing to do with. And I think that such a case not only possibly may be, but actually has happened; as in the belief of the *Antipodes*, the *motion of the earth*, and perhaps twenty such things even at this present. The truth is, if any one should put me to it, I do not well know how to prove it. But let us for once suppose, there was a time when there was no man in the Church more knowing than *S. Austin*, and that the consent against the *Antipodes* was so common and universal, that there was not so much as any one who held otherwise. I conceive it would

would be a very false inference, if any should from thence conclude that the Church at that time held there were no *Antipodes*. For 'tis a plain case that Church imports *Faith*, and *Faith* a derivation from Christ; and since 'tis known that he taught nothing of the *Antipodes*, 'tis clear that no opinion concerning them can belong to Faith, or the Church. Whoever they be who hold for or against them, or however they may belong to the Church in other respects, in this particular she has nothing to do with him, nor they with her. For now they act not as believers, but as Scholars, and 'tis only as believers that they belong to the Church, for the Church is a Congregation of faithful. Tis true these believers are many of them Schollars too, but when they play the Scholars have no priviledg, nor security against error from Christ or the Church, but must look to their discourses, and stick to their Learning; in which if they fail, as they very well may and often do, 'tis at their own perils, for the Church is no farther engaged than in what they take from her, and she warrants to be received from Christ. But this point is already discours't at large in my first letter, and the little I have said here peradventure is more then needs. For this Authority, which *Bellarmin* would pin upon the Church, is no more then the sayings of so many men, whereof one half he recites and disproves himself, the other half depend upon the strength of their Arguments, which are the only means by which other men can judg whether they deserve more credit then their fellows, and when all is done are contradicted by twice as many as learned and as famous. And this I should think so far from the Authority of the Church, that 'tis well if it be any Authority at all. And so much for the first Argument.

The second is this. *We prove it secondly by the Extrav. Unam sanctam de Major. & Obed.* Where we are taught, the sword is under the sword, and temporal authority subject to the spiritual power, and that if the earthly power deviate, it shall be judgd by the spiritual, an inferor spiritual, by a superior; and the supream spiritual only by God. Neither does it make against this, that the definition of this Decretal seems revok'd by *Clemen. 5. in the Extrav.*

*trav. Mernit. de Privileg.* For Clement did not revoke the extravagant of Boniface, but informed us that it defined no new thing, but declared the ancient obligation, which men have to obey and be subject to the Apostolick See. Now I should think whether one Pope made a Decree, and another did not revoke it, matters not much, unless this Decree determine the point in question. And 'tis a clear case, there is not a word of *deposition* in this extravagant of Boniface 8, neither has Bellarmin remembred to tell us how 'tis implied, which yet seems a material circumstance. That which he says we are taught by it, is that temporal authority is subject to spiritual power, & may be judged by it if it do amiss, but the supreme spiritual Power by none but God. All this may be very true, and the Doctrine of *deposition* very false. When the temporal Sword is drawn by passion and strikes with injustice, as, to instance in an example us'd by himself, when Theodosius caused a number of innocent people to be slain at *Thessalonica*, a less man than the Pope had spiritual power enough to judge and punish this temporal power, or in plain *English* to shut the Church doors, and not admit the *Emperor* to a fellowship in Christian duties, till he had done what became a good Christian, repented and made satisfaction. Here the temporal Sword was under the spiritual Sword, judg'd and punish'd by it, and all this while no deposition nor thought of any such thing. Of all who had their share in that business, none was better satisfi'd then the guilty and punish'd *Emperor* himself, who more lov'd and honour'd S. *Ambrose* ever after. And 'tis likely if all spiritual Princes would imitate the zeal of that excellent Prelate, and preserving the respect due to the dignity of secular powers, strive only to redress the errors of their frailty, that Temporal Princes would imitate the Piety of that excellent *Emperor*, and there would be never any clashing betwixt them. But this by the by. I have only to do with the Argument, and 'tis not the least I have to do to find the force of it. For 'tis plain the bare words themselves, without a comment will not do, and Bellarmin has here forgotten to give a comment. And so there remains nothing but to rove at random, and hope, if luck serve, to hit right. If Bellarmin understand this Decree

In that manner in which he understood it who made it, *Boniface* the 8, as far as can be gathered by those who writ of him, was perswaded he was vested in a Power as unlimited and absolute as the wildest of Canonists ever fancied, that he was the only universal Monarch, and all Princes his subjects without more ado. You remember how he writes to the King of France: *We would have you know, you are subject to us both in spirituals and temporals, and take for Hareticks who think otherwise.* Now there is one, in my opinion, very good reason why *Bellarmin* should not understand the Decree in this manner, and that is because he thinks that sense not true, and maintains the *Pope* has no such power, and the Canonists are one who give it him. If he will understand it as *Clement 5* seems to understand it (you must pardon me if I entertain you with *seemings*, we must rove where we can do no better) it will amount to no more than bare spiritual power, as indeed the words themselves carry no farther. *We neither will nor intend*, says he, *that any prejudice be done to the King or Kingdom of France by the Decree in question, nor that the King, Kingdom, or Inhabitants be more subject to the Church of Rome than they were formerly, but that all things be in the same state in which they were before the said definition.* Now one point of the state in which things were before, was, if we believe the King of France, as also *Innocent 3*, who had declared as much, that he was subject in temporals to no man. And so there remains only subjection in spirituals, in which *Clement 5* understood the Decree, and challenged to the Church of Rome, and this will freely be allow'd to *Bellarmin* by a great many who for all that will allow no deposition. Now because neither of these Comments will fit him, as far as I perceive he will hardly find one ready made, but must take the pains to make one for himself, if he will do any thing. And yet when he has done, a Comment is one thing and a Text another. One is not altogether so current money as the other. Although in this particular his comment must be better mettall than the Text it self, or will hardly pass. The whole Canon Law, the Decrees not only of particular *Popes*, but particular Councils, unless in circumstances which happen not in this case, are freely and openly deny'd the



the power to oblige to belief. But I will not meddle with this point, which would draw on a new, and that controversial dispute, and I am no man of Controversy. What I have said is answer enough to an Argument no better prest. Yet I shall make one observation more, and so take leave of it.

This Canon according to the declaration of *Clement* § defined nothing new, says *Bellarmin*, but only declared the ancient obligation of being subject to the Apostolick See. Now would I fain understand how we should know by this Canon what that ancient obligation was. The question is whether the ancient subjection were in temporals or spirituals. And the Canon is declared to define neither the one nor the other, but only the ancient obligation; (and if it define nothing in the question, it might very well have been let alone) of necessity we must know what this ancient obligation is, before we can know what this Canon has defined; and then 'tis a clear case we can know nothing by the Canon, but must depend on another knowledg, and by that find out what the Canon says. If things be left by this Canon, as the *Pope* says they are, in the state in which they were before, it is not possible to know how this Canon left them, but by knowing how they were before. See now how well this Canon proves in the *Pope* a power over temporals, which says no more but that he has a power he alwaies had, but whether that power be temporal or spiritual is wholly silent. 'Tis something a new way of arguing, to bring us in proof, that things are as *Bellarmin* says they are, a Canon which says only they are as they were before, and force us to a new search to know how they were before, of which we have no intelligence from his Canon; but as far as we can have intelligence otherwise, have reason to think they were quite contrary to what *Bellarmin* pretends. For the *French*, who took themselves particularly concern'd in this Canon, did neither then nor since believe any obligation to be subject in temporals, and were unsatisfied till they procur'd this Declaration from *Clement* § that things were as they were before; and because this satisfied them 'tis in my opinion a strong proof that it was then known there was no subjection in temporals due before. However it be, the proof from the Canon stands plainly thus: You

must in vertue of this Canon believe the *Pope* has power over Temporals, because he has a power which by the Canon you cannot know whether it be over temporals or no; Or, you must know by the Canon the *Pope* has a temporal Power, which whether it be temporal or no you must know from something else then the Canon: That is, I must know in vertue of the Canon, what I cannot know in vertue of the Canon. Which proof being that in vertue whereof I know, signifies the Canon is a proof, which is not a proof.

The third Argument is from Councils, and is thus proposed by *Bellarmin*. *We prove it thirdly from the Councils before mentioned, whereof the two last were general* For how can that be brought into doubt, or depend on the opinion of men, which general Catholick and lawful Councils approve? But these ten Councils, and especially the two last of *Lateran* and *Lyons* do most evidently teach that temporal Princes may be depos'd by the *Pope*, when the necessity of the Church requires it, and consequently that the temporal Power of Princes is subject, and subordinate to the spiritual power of *Popes*. In my opinion he might have spared that consequently. If lawful general Councils evidently teach Deposition, they teach enough of all conscience; we know well enough what will follow, without the help of his inferences, and know that twenty worse things will follow then subordination of powers, But is *Bellarmin* in earnest too? and will he reduce the Catholick Church to the narrow compass of those who believe his Doctrine? How? Lawful general Councils teach, and that evidently, that Princes may be depos'd! Why, what a Hand has he made on't? His Friends, *Coron*, *Somran*, and the rest of the Jesuites, who by a publick declaration disavow'd and detested this doctrine, were no very honest men by his reckoning. The *French* are all direct Hereticks without more ado, and I fear it will go hard with the *Pope* himself, who so freely and openly communicates with them. As for my small acquaintance, they are all in as bad a case as *Falstaffs* old Hosts, if sack be a sin. They'l be mall'd to my knowledg. If he do not make amends, with the weakness of his proofs, for the confidence of his assertions, we are all undone. But the comfort is that all Catholicks are not of his mind. For this very Book had the luck to light into a certain Catholick Country

Country where it was publickly condemn'd, and the men who did it, did not for all that think they contradicted any thing evidently taught by lawful general Councils. But let us see what those Councils say. The truth is, since of ten which he cites, 2 only are general, 8 might have been spared. For particular Councils, according to his own doctrine, are not so irrefragible, but what they determine may be brought into doubt. But we must take his Arguments as they are.

His first Council is, 900. years old, under *Greg. 2.* wherein he would make us believe the *Emperor. Leo Isaurus* was excommunicated, and depriv'd of the tributes which he us'd to receive out of *Italy*. And this is one of the stories which *Onuphrius* takes for fables. *Bellarmin* alledges for proof (for the Council is not extant) the testimony of *Zonaras* a Greek Historian, whose words are these: *Gregory, who at that time ruled the Church of old Rome, involved them together with the Emperor in a synodical Anathema, and making a league with the French, forbade the tributes (which till that time were paid) from thence to the Empire.* *Barclay* answers, that he mistook the meaning of *Zonaras*, thinking that those 2 several things, because they are joyned in one period, hapned therefore at the same time. 'Tis true that either this *Pope*, or his Successor *Greg. 3.* did in a Synod excommunicate, not the Emperor particularly, but *Iconoclasts* in general. 'Tis true that *Greg. 3.* made a league with the *French*, or rather fled to their protection from the injuries of the *Lombards*, from which the *Emperor* either could, or perhaps would not defend him. And therefore Writers who say that after this league *Italy* withheld their usual Tributes, though the matter of fact be not altogether so clear, but none say they withheld them by the authority of any Council. As far as can be gathered the exasperated people were willing to keep their money for their own defence, and not by sending it into *Greece*, expose themselves defenceless to those injuries which they either suffered, or feared. And thus far there is mention of the *Pope's* consent, and even countenance at last; for he opposed the sway of the people a good while; and by his authority preserv'd them in their allegiance to the *Emperor*, yet sided with them at long run, in this keeping their money at home. But for deposing the

*Emperor*

*Emperor* much less in a Synod, neither he nor any body else thought of it, on the contrary to his dying day he acknowledged him his *Emperor* and Lord. Whether the People, or he did well in doing so much as they did, is another question which belongs not to me to determin. But I suppose it is no wonderful thing, that a remote Province of a great Empire should upon some dissatisfaction fail at some time in their duty, and the men of greatest Authority among them joyn with them. This is standing upon their terms more then becomes subjects; but 'tis not deposing, and much less deposing by the Authority of those great men who take their part. One might as well say the Prince of *Orange* by his Authority deposed the King of *Spain* from the *Low Countries*, because he was the Principal Actor, with those who fell from him. But to make short work with our case, there was in it, I think, no deposition at all. But if this Tribute matter must be called deposition, to that concur'd no Council; and betwixt them both 'tis plain there is no Argument.

There comes next in play the famous business of *Greg. 7* which takes up 6 Councils more. These because they belong all to one subject, you shall give me leave to respite, till I have rid my hands of his next Council which belongs to another. 'Tis the Council of *Clermont*. where, he says, *Urban. 2.* excommunicated and deposed *Philip. 1.* of *France* for casting off his lawful Wife, marrying an Adulteress, and refusing upon admonition to make satisfaction. For this he cites *M. Paris*, and *Sigebert*. I have not seen *Sigebert*; but *M. Paris*, who particularizes the Acts of the Council, and among the rest this excommunication, makes no mention of deposing. I, but, says *Bellarmin*, deposition must be understood to go along with excommunication. Marry I thank him heartily. Understood quotha! Is our evident teaching come to understanding, and understanding those things to be the same than which the world has none more different? Excommunication is a pure spiritual censure, and deprives a man of none but pure spiritual goods; deposition is quite contrary, and takes away only temporal. It passes my understanding how one of these must necessarily follow out of the other. Pray why must we understand it does? Because says he, Historians testify the

*Pope*

*Pope* forbade the Crown should be set upon the Kings head while he remain'd excommunicate, and in particular *Ivo* Bishop of *Chartres* writes to the *Pope*, that he would be threatened, unless he restored the Crown, and took off the excommunication, that the King and Kingdom would fall off from their obedience. Very well. Why then according to *Ivo*, there was a King still; and that King had a Kingdom, and so much credit in it that 'twas not impossible but he might cause it to revolt. These things do not hang together. A man may as soon understand how excommunication and deposition infer one another, as how a Crown can be restor'd to one who is a King, and has a Kingdom; or how the *Pope* should forbid the Crown to be set on his head, who had been crowned long before the *Pope* was *Pope*. 'Tis hard and not very wise to forbid things that are past. If this mystery had not been unridled for me, I had been quite at a loss. But if I may believe *Barclay* and *Wishington*, it was at that time the custom of *France* for the King to wear his Crown at solemn Festivals, and for some Bishop to put it on his head. The *Pope* forbade the Bishops to serve the King in this Ceremony, it seeming improper that persons of their dignity in the Church, should so far communicate with a man deservedly lying under the censures of the Church, as to contribute to his honor, at the sacred Offices. And this is all the Crown of which *Ivo* speaks and talks of restoring. 'Twas at most a matter of pure ceremony, in which the *Pope* was not obey'd neither. For *Ivo* himself writes that, notwithstanding his commands to the contrary, Bishops were found, who performed that Office to the King. But for the rest, the Kings reign was neither interrupted nor disquieted. *France* giving a very good example of the duty of subjects in that case, when in the words of *Paulus Emilius*, they preserv'd inviolate the Majesty of a faulty Prince, and yet themselves degenerated not from the holiness of their Ancestors. I mention not his additional proof from *Vignier*, because he had better have let him alone, since *Barclay* has caught him tardy, and shew'd that what *Vignier* says related to another *Philip* who liv'd a hundred years after this *Philip* of whom *Bellarmin* speaks. And I conceive He might as well have let alone the Council of *Clermont* as *Vignier*, for there is no proof that the King was depos'd by or in it.

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To return now to *Greg. 7.* He says, *Bellarmin*, in a Synod at *Rome* publickly and solemnly and ceremoniously, with the consent and applause of all present, deposed and excommunicated the *Emperor Henry 4.* And to this Synod must be added 5 more held by his Successors, at *Beneventum* by *Victor 3.* *Piacenza* by *Urban 2.* *Rome* by *Paschal 2.* *Colen* by *Gelasius 2.* and *Rhemes* by *Calistus 2.* in which the sentence of *Gregory 7* was confirmed. Of these six, if *70. Barclay* say true, five are plainly nothing to the matter: For there is not a word of deposition in any of them. There is mention of Excommunication sometimes of the *Emperor* himself, sometimes of the *Anti-Pope* set up by the *Emperor* and his complices, but deposition not so much as once named. Besides *Henry 4.* with whom *Greg. 7.* had to do, was dead before the times of *Gelasius* and *Calistus*; to make them renew the sentence of deposition given first by *Greg. 7.* is a great inadvertence. 'Tis true all his Successors kept up the quarrel about Lay-investitures, and that occasioned all the Decrees he mentions, and some more remembered by *Schulkenius*, till *Calistus* with a wife and successful piety compos'd the difference. And I think it cannot be imagined he should depose the *Emperor* with whom he treated and concluded Peace. There remains only the fact of *Greg. 7.* himself, and that indeed past in a Council; but what share the Council had in it, is something obscure. I suspect he was more beholding to his Rhetorick for those flourishing additions of the consent and applause of all present, then the warrant of any good authority. For *Platina* says expressly there were some present so far from being fully satisfi'd, that they urg'd, a King was not to be excommunicated so soon. And the Decree it self mentions neither consent, nor privity of any besides the *Pope*, whose act the stile makes it, and that so entirely, that were it not known by other means, it could never be discovered by the sentence, that there was any such thing as a Council then in being. The truth is, the *Pope* was smartly provoked. For, besides that he had been forcibly seized on, even at the Altar, and hurried into prison, from whence he was the next day rescued by the people, a Synod of *Worms* called by the *Emperor*, had little better then deposed him first. *We denounce unto you*, say they, *that as we have promised*

*misd no obedience to you, so from henceforth we mean to pay none.* In consequence of this Decree one *Roland* a Clergyman of *Parma* was sent to *Rome*, and there publicly forbid the *Pope* to act as *Pope* for the future, and commanded the *Cardinals* to leave him, and repair to the *Emperor*, to receive another *Pope*. Whether he had not begun with the *Emperor* is another question. There are who think he had. But however to be so sharply dealt with would make a man look about him. And 'tis clear, this business at *Worms* hapned before his sentence at *Rome*, where 'tis very likely they might think they had as much power to to depose the *Emperor*; as they in *Germany* to depose the *Pope*. If I may be permitted to speak with freedom I should think this counter-authority of Councils one against another (for it was not only *Pope* against *Emperor*, but Council against Council) is a more proper argument of human frailty, then Catholick doctrine. One may perceive that Princes never fall out, but there will be partakers on both sides, and that among those who are least liable to the suspicion of being sway'd to injustice, the wisest and gravest and of greatest dignity. But how any thing should be efficaciously concluded from Councils, which are opposed by other Councils, as many, as full, consisting of persons, the *Pope* excepted, equal in dignity and reputation whether for learning or vertue, is hard to conceive. Tumult and Bitterness and Animosity are no very proper dispositions for the calm and gentle operations of the H. Spirit; and such there were at that time, or else the world was then a great deal more holy then now. There was among them that would have caused passion among us, and things were done by them which passionate people do with us, where we see the fruits we cannot but suspect the Tree. The *Emperor* for his part had the *Pope* to countenance the *Saxons* against him, and by his spiritual authority counterpoise the weight of his arms. This would vex a man of a high spirit, ambitious of glory, and impatient of contradiction unless he were a Saint, which is not written of that *Emperor*. On the other side, the *Pope* had the *Emperor* averse to the liberality then intended, and after brought to effect, of the Countess *Mathildis*, and unwilling so great an occasion should be made to the Church of lands,

to which, if I mistake not, the *Emperor* pretended. He must be a very great Saint too if he could look upon the hopes of so great an advantage without passion, and not be tempted to weaken a man whom he saw would cross him as much as he could. These reasons for animosity, among others, there were and if they did not work, they were the holier men. But I think no man is bound to believe that the pretences used in matters of great consequence, are alwaies the true causes: neither is it hard when people are resolved to fall out, and set the best face they can each on his several side, by some means or other to draw in the pretence of Religion, which as it carries the fairest shew, is generally nearest at hand. But I rove too far with my fools bolt. Those who were Actors in these matters, have long since given account to an Impartial Judge, nor have I to do with their intentions, but *Bellarmin's* argument; which in two words I conceive little efficacious, both because the concurrence of the Council seems questionable, farther than as it happens sometimes in consistories, where matters are propos'd in some cases for forms sake, and shall be executed as they are preresolved, however the Cardinals vote. And though it were not, the Council at most is but a particular Council, which according to *Bellarmin* himself is of no irrefragable and binding authority. For the rest 'twere strange, if the *Pope* should not find Bishops enough to joyn with the spiritual power, when the *Emperor* wanted not who stuck as fast to the temporal. And so much to 8<sup>th</sup> of the 10 Councils.

We are now at — *Paulo' majora canamus.* The two Councils which remain are propos'd with more pomp, and in truth challenge a greater respect, as being general Councils both. The first is that of *Lateran* under *Innocent 3.* out of which is urged the famous Canon known by every one, and which for as much as concerns us, runs Thus — *But if a temporal Lord required and admonish'd by the Church, neglect to purge his land from this Heretical filth; let him be excommunicated by his Metropolitan, and Com-provincial Bishops. And if he stand in contempt, and make not satisfaction within a year, let the Pope be made acquainted, that he may from that time declare his Vassals absolved from their fealty to him, and expose his lands to be seiz'd on by Catholicks, who chasing*

chasing away the Hereticks may without contradiction possess, and preserve it in the purity of Faith, saving the right of the principal Lord, provided he bring no obstacle nor hindrance to the Premises, observing nevertheless the same rule with them who have no principal Lords. Bellarmin is wonderfully agog with this. What, says he, would Barclay say here? If this be not the voice of the Catholick Church where shall we find it? and if it be, as most truly it is, be that out of contempt, as Barclay hears it not, is he not to be esteemed a Heathen and a Publican, and in no manner a Christian and pious? If the Pope have not power on earth to dispose of temporals, even to the deposition of those Princes who either are Hereticks themselves, or any way favour Hereticks, why, at the setting out this Canon, did none of so great a number make opposition? Why of so many Embassadors of Emperors and Kings not one who durst so much as mutter? These Parasites to temporal Princes were not yet sprung up, who under pretence of establishing temporal Kingdoms take away the eternal Kingdom from those whom they flatter. I marry! here's a fit of triumphant zeal. But I suppose if he had cast a little water on the flame, it would have been hot enough for the occasion. This Parasites and Flatterers, Heathens, Publicans and Impious are expressions a little too zealous. In what a case are they who condemn'd all this zeal, and had they not had more respect to his Purple than his argument, in all likelihood had burnt it too? and yet had as good ears in the opinion of the world, as Bellarmin, and could hear the voice of the Catholick Church as soon. But to be serious, what Barclay would have said here, I cannot tell; but I suppose if Death had not stopt his mouth, he would have said something: For this Canon is no such secret that he could be imagin'd ignorant of it, or unprovided against it. At least his son did find something to say for him, to which I can no more tell what Bellarmin would say, then he could what Barclay would say to the Council. I shall have occasion to mention part of what he says by and by. In the mean time as this Council never fails to be layd in the way of all who travel this road, people have several turns to avoid it.

There are who question whether any thing at all was defined there, at least in a Conciliar way, or if any thing were defin'd that the world was duly made acquainted with the business. For which, besides that some Historians

expressly say nothing was concluded, they have these presumptions. The Canons, which we have, discover by their stile that they were not made in the Council. They run some of them in this manner: *It was piously provided in the Lateran Council* — *'Tis known 'twas forbid in the Lateran Council*, &c. which are phrases very unlikely to have been used by the Council, if that fram'd the Decrees. Again, the whole authority of this Council rests as far as I see upon one *Cochlaus*. The Councils had been set out, and this omitted, either not known, or not procurable by him, who managed the business. Against another Edition this *Cochlaus* furnisht the Press with the Copy which we now have. Whence he had it himself, I know not; but methinks the credit of a private man is a weak support for a matter of this consequence. Besides how much time ought in reason be allow'd to a Conciliar discussion and determination of threescore Canons. *Carenza* has threescore and ten, and somewhere I have heard of another number, which disagreement by the way is a suspicious thing. *M. Paris* tells us the Council was summoned for the first of *Nov.* and met, I suppose, at the day. The *Pope* first makes an exhortation, afterwards causes 60 Chapters to be read, and concludes with a second exhortation concerning the *H. Land*. All this, as far as can be gather'd by him, past in one day; which if it did, the Council could not possibly contribute more than the hearing to any thing. Besides he plainly says these 60 Chapters to some appear'd easy, to others burthensome; which is very far from a Conciliar approbation. Now he says not precisely when the Council ended, but 'tis apparent by him that it lasted not long. The *Pope* in this Council at the Kings instance suspends the Archbishop of *Canterbury*. This suspension bears date *pridie nonas* or *4th. Nov.* Besides he vacats the election of his Brother *Simon Langton* to the Sea of *York*, and excommunicates the Barons of *England*. These sentences are not recorded as the other; but in liklyhood past at the same time. *M. Paris* mentions immediately the end of the Council. *Quo facto* after which, says he, two of the three Agents which the King of *England* had there, returned to bring him the good news. They found him at *Rocheſter*, from whence he marched to *St. Albans*, and came thither



thither time enough to have the suspension of the Arch-Bishop attested by the seal of the Convent 13 *Calend. Jan.* or 20 *Decemb.* By this account how long could the Council last? Or how much time could be spent in duly weighing so many Canons, some of such importance, when men who had seen the conclusion of the Council which began not before *Nov.* were in *England* by the 20<sup>th</sup>. of *December*? He has besides a second sentence of the *Pope* against the Barons of *England* by name, wherein he speaks in this manner. *We would have you know that lately, in a General Council we did excommunicate and anathematize the Barons of England—moreover we do excommunicate and anathematize—We aggravate our hand more strongly against them, &c.* This bears date 17 *Calend. Jan.* the 16 *Decemb.* of the same year, and 'tis clear by the *Pope's* expressions that before this time the Council was ended; and it may be had been a good while. If these 60 Canons were all examined with that maturity which becomes a Council, and so decreed, Councils at that time were much nimbler then now a dayes. If proceedings then had one quarter of the slegm we use now their suspicion is not altogether without ground, who think the consultations, then on foot were interrupted by the breaking out of suddain wars, and nothing brought to conclusion.

*Wishrington* takes another exception to this Canon, which he says comes not home to the purpose, nor can by the rules of Law be interpreted to extend to Sovereign Princes; because, as he says, in construction of Law such Princes, at least in penal, or as they call them odious matters, are never understood to be included in general words, as *Lords*, *Magistrates* and the like, no more then the *Pope* when only *Bishop* is named, or *Abbot* by the word *Monk*. If it had been meant of Sovereign Princes, it had been as easy to have named them expressly, as temporal *Lords*, and they were so named in other Decrees even of this Council. Besides this very Decree, in the very same words, changing only spiritual punishments into temporal, was published within 5 years by the *Emperor*, and it cannot be imagined he meant to make Sovereign Princes subject to his Laws, or had power so to do though he meant it.

These and several other things may be say'd, but in my opinion they need not: for there is another answer free from  
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the intricacies whether of Law or History, and which to my apprehension is both easy and plain. Every body knows that Decrees of Councils are of two sorts. Some declare what is to be believed, others prescribe something to be done. And every body knows that these two are of very different natures. To refuse Decrees of Faith, is to renounce the communion of that Church whose Representative the Council is, that is, the whole Church, if the Council be general, unless there be a just exception against their proceeding. For Faith is that by which a Church is a Church, and if you be of a different Faith, you cannot be of the same Church. But for the other sort of Decrees, when they concern civil matters, because those whose business it is to manage them are supposed to be better acquainted with them than spiritual men, whose business it is to attend to spirituals, neither reason nor custom allows them any force, till they be received by particular Countries, and by that reception made binding. For it were very unreasonable one Law should bind all Countries, when that which is convenient in one place may be and often is prejudicial in another. We in *England* acknowledg no Law but by consent of *Parliament*. In *France* they require *Verification*, as they call it, in their highest Courts of Justice. Every Country has its particular method; but what has not past this test is currant no where. And this is a notorious thing, for default of which, there is none who knows not that these kind of Decrees of the Council of *Trent* are not obliging in *France* to this day. Again, 'tis equally notorious that the Canon in question is of this second sort. Wherefore 'tis as plain as can be, that unless it can be made appear. It has been duly receiv'd, and by such reception become binding, of itself it is not binding any where, I mean where both powers are not united to command it. For where the *Pope* has the Authority of a temporal Prince there both powers concur. I forbear to touch several things mentioned pertinently enough. As, how Bishops in Council should order temporal penalties, who out of Council (unless they have a share of temporal power communicated otherwise to them) cannot go beyond spiritual. A Congregation of Bishops is but so many Bishops, nor is it easy to conceive how their meeting together should invest them

them with an authority of another kind and such as is not proper to Bishops. To which purpose a famous Canonist upon occasion of temporal penalties, inflicted by a certain Canon, inquires what the Pope had to do with temporals, and answers, truly nothing; but he ordered that penalty in vertue of the *Emperors* consent, who was present and approv'd it. So that when Councils make such kind of Decrees, 'twill be hard to make out any other Authority by which they make them, than the consent of Princes concern'd. But these considerations, and several other I pass by, the former being plain in it self and plainly doing the business. The Decree in question is of that kind which all the world knows is not binding but where, and only where tis receiv'd. Either produce this reception, or tis to no more purpose to urg it, then to alledge the authority of a Bill thrown out of one of the Houses, or not assented to by the King. Upon the whole, if there had gone a little more knowledg to *Bellarmin's* zeal, 'twould have been so much the better: He undertakes to prove that general Councils teach evidently that Princes may be depos'd by the Pope, and brings in proof a Decree which teaches nothing, but orders that which none is bound to obey, unless he live in a Country who have made it a Law to themselves, if any such Country there be. And if this be his evident teaching, it will be concluded that his Doctrine in this point can be taught no otherwise then by a teaching, which evidently is no teaching.

*Bellarmin* concludes with the Council of Lyons, under *Innocent 4.* in which there was publish'd a sentence of deposition against the *Emperor Frederick 2.* This as Art requires at a close, he sets forth as gloriously as he can. Having related the later part of the Sentence; *This,* says he, *is the sentence of the Sovereign Bishop with approbation of the whole Council, that is with the consent and praise of the Universality of Christian Prelates.* And yet one, I know not who, dares dispute against it, and publish his Book; and cast a mist before the eyes of the simple, and so goes on to the end of the Chapter, amplifying the boldness and rashness of standing in opposition to so many and so learned, and so holy men, whom for the greater solemnity he gathers all into one great Council,

*excommunicating and deposing by Apostolick Authority Heretical Princes, or Parsons of Hereticks;* And upon this fancy of making one Council of all ages he is so intent, that he quite forgets that Heretical Princes were no part of the case in any Age, nor ever thought of by any of his Councils, save only that of *Lateran*. To fancy them all into one Council is well enough: but to fancy them doing there what, when they are assembled in reality, they dreamt not of, has something too much of fancy. Then this *favouring of Hereticks* is a term so general that I know not how far it extends, but I think Princes make alliances as they are guided by interest of State, and amuse not themselves with these speculations of Schoolmen. The *French* never bogled to make leagues with Princes of different Religions, which though it has been sometimes cast in their dish, they left not for all that to do what they thought fitting. 'Tis now come about, and the House of *Austria* does what heretofore they blam'd in the *French*, and the *Pope* is much bely'd if he quarrel with them for it. It is not much more boldness and rashness to stand upon our terms with his Councils, being such as they are, then to condemn to excommunication and deposition such as are capable of it, all this part of the world. For sure Representatives are not so much more considerable than the Bodies themselves: But I rove as well as *Bellarmin*.

Before I speak to the to the Council, it will not be amiss to observe that the case of the *German Emperors* has something not common with other absolute Princes, and the cases of *Frederic 2* and *Henry 4*. something not common with other *Emperors*. For 'tis well observ'd by *John Barclay* that since the translation of the Empire to the West, at least since the devolution from the posterity of *Charles the Great* to the *Germans*, *Popes* have pretended a particular superiority over those *Emperors*. One of them in a certain Canon will needs have the Oath which *Emperors* take at their Coronation to be properly an Oath of Fidelity. Another taxes the *Emperor* of insolence and arrogance for setting his name before the *Popes*, as being contrary to the fidelity promise and sworn to *S. Peter* himself. In consequence whereof whereof

*Clem. 5. Clem.  
tina Vinc. de  
Jurisjur.  
Adrian Ep. ad  
Fred. 7.*

there are who maintain the *Pope* may depose the *Emperor*, for this reason, because he acknowledges his Temporalities from the *Pope*, and in plain terms that the Empire and *Emperor* are subject to the *Pope*. I have nothing to do with the justice of this pretence, let the *Germans* look to that, who, I suppose, are not all of the same opinion: but 'tis manifest *Popes* have made this claim, and if they act in consequence of what they publicly maintain and treat as subjects those whom they took to be so, and deal with them as supream Lords with their Inferiors and Vassals, as it is not to be wondred at, so the case is quite different from that of absolute Princes, over whom there is no pretence of superiority. Again, this *Frederick* had positively sworn by *Embassadors* particularly authoriz'd to stand to the Judgment of the *Pope* and Church. *Henry 4.* had done as much in person at *Canossa*, upon the recalling of his first sentence. How far this submission of theirs subjected those two *Emperors* to the censures of the Church, at least how far it might be thought to subject them, I cannot say. But certainly such an obligation makes their condition different from those who never entred into such bonds.

It will not be amiss likewise to reflect a little upon the temper of those times. As far as I can get a Prospect of them, they were less critical then ours, and more led by nature than speculation. When a mischief hapned they thought 'twas fit there should be a remedy, and as drowning men think not of the trespass, and whether the twig they catch at grow on their neighbours ground, if the temporal Power wrong'd them, had recourse to the spiritual, and if the spiritual to the temporal. So the *Emperor Otto* was solicited to relieve them against *John 12* and did so, causing him to be depos'd, and a better chosen in his room. And every body thought he did well, even *Bellarmin* himself (though withal he thinks the action not so regular) because that *Pope* was a very wicked man. Besides, the *Pope* was believ'd the Father and Head of all Christians, and upon that account obedience due to him from all. How far and to what kind of actions this obedience extended, they seem to have so little considered that *Greg. 7.* himself answers, those who were not satisfi'd with his hasty sentence, as if it were all one *Plat. in Greg. 7.* to have power over all and to have all Power. It was this Council of *Lyons* which made men begin to look about them,



and consider the matter more deeply. For then, says *M. Paris* both Princes and Prelates foreseeing the consequences were exceedingly troubled. For though *Frederick* himself did many ways deserve to be lessened and depriv'd of all honor, yet to be depos'd by *Papal* authority, would raise the Church of *Rome* to that height and pride that abusing the Grace of God they might fall to deposing even innocent and good Princes, and sooner Prelates, and this for slight causes, or at least threaten to depose them, &c. But whatever they thought afterwards, when they reflected the *Pope* was a man as well as his Neighbours, and might abuse an unlimited power, at the Council of *Lyon* I conceive they were more intent to consider who had right of his side, then with what kind of penalty they were impour'd to chastise the wrong. The *Emperors* Agents were heard, and notwithstanding all they could say in his behalf, and they spoke freely enough, He was in the opinion of the whole Council manifestly guilty. Even those who favour'd him at first, confess he deserv'd to be depos'd. And if the rest thought no injustice done him, who had but what he deserv'd, I think the wonder is not great.

However it be to answer more directly, divers things they say, They question the concurrence of the Council, and think *Bellarmin* a little more confident then became him, to talk of the approbation and consent and praise of the whole Council, when the Decree is so far from authorizing his confidence, that on the contrary it affords just suspicion of the contrary. For whereas the usual stile of conciliar Acts, and elsewhere us'd even in this very Council, runs in this manner, *sacro approbante Concilio*, 'tis changed here into this, *sacro presente Concilio*, which they think not done without a particular reason. Again, Historians mention the horror and astonishment of the by-standers at the pronouncing the sentence, effects not likely to proceed from an Act of their own. In fine, several exceptions they take. But the best answer in my opinion is afforded by *Bellarmin* himself. He teaches elsewhere, that in

*Lib. 2. de Concilio. c. 12.*

Councils the greatest part of the Acts belong not to Faith, neither Disputations, nor Reasons, nor Explications, but the bare Decrees themselves, and those not all, but only such as are propos'd for Faith. This being admitted, as it is universally, the difficulty is plainly answered. For 'tis as plain as can be, that here is nothing propos'd for Faith.

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The *Emperor* is depos'd, his deposition is that which is decreed and that is propos'd as a thing to be done, not believed. To depose is one thing, to define they have power to depose is another. Had they made such a Decree and obliged all Christians under *Anathema* to believe, it had been to purpose to alledge it. But as far as I can learn, there was no thought of any such thing in the Council. Now for Acting, People may act, and sometimes very rationally upon probable grounds, and such as none are bound to believe. And they may have very good grounds for acting in one case, which themselves may not think sufficient in another. It is very unreasonable out of a particular action to conclude a power which shall extend to all cases, when from the bare action there is no necessity of believing a power even in that case. The most that can be made of it is, that the Council suppos'd, or took for granted they had power to do what they did. And it may be they had. For the *Emperor* had sworn particularly to stand to the Judgment of the Church: He pleaded in this Council by his Procurators, who when they saw things go against them, made no exception to the Jurisdiction of the Court, but appeal'd to a future Council more general, pretending all were not present who had right to sit there. But why may not a Council take for granted more then every body is obliged to grant? This supposition of theirs was undoubtedly one of the Reasons of their Decree. And *Bellarmin* assures us we are not bound to believe any of their reasons. So that for his particular, he had no reason to expect this Decree should cause belief in any. But whether he had or no, this is plain without him. That where there is nothing to be believ'd there can be no belief, and where there is nothing, in his language, propos'd for Faith, there is nothing to be believ'd. Here is something commanded, but nothing defin'd, and as sure as no Mass no hundred Mark, no Definition, no Article of Faith. Wherefore I cannot sufficiently wonder to see learned men lay so blindly about them, some with great formality citing the Council and heightning its authority by reckoning up the number and quality of those who met there; others striving to diminish it by consulting Historians, and carefully observing all exceptions they afford; when all this while the Authority of it neither applys it self, nor can be applyed to the matter in hand. For tis evident they defin'd nothing, one way or other, and

afford us no more then a bare matter of fact, past indeed in, or by a Council, but whatever be true, or whether the Fact were just or unjust, our belief is not a jot concern'd, and this even by the confession of those who most urg the Council. The Fate of eager Disputers is upon us, with much ado we are where we were again; and must either be taught this Doctrine by Decrees which teach nothing, or which neither are, nor were intended for teaching Decrees, or not to be taught it all, as far as I perceive For this is the sum total of his ten Councils.

His fourth and last Argument is, He says, from Scripture; and if you will pardon a scurvy pun, tis indeed very far from it, so far that one would not readily perceive what Scripture has to do with it. As tedious as it is to transcribe, I must submit to the pains of setting down, and you to the patience of reading his whole Discourse; for fear I should be suspected of wronging it by contracting. *Fourthly*, says he, *We prove it from the divine writings, as Greg. 7 proves it in 21 Epistle of the 8 Book. For we find the Ecclesiastical Primacy of the Bishop of Rome most manifestly founded on Scripture and Tradition, in which Primacy is contained most ample Power of governing, binding and loosing whomsoever, even Kings and Emperors: and this neither Barclay, nor any Catholick denies. But out of this principle is gathered plainly enough, that there is in the Bishop of Rome a power to dispose of temporals, even to the deposition of those Kings and Emperors. For by that spiritual Power the Pope can bind secular Princes by the bond of excommunication; by the same he can loose the people from their Oath of Fidelity and Obedience; he can oblige the same People, under pain of Excommunication, not to obey the excommunicated King, and chuse them another. Besides, since the end of spiritual government is the gaining eternal life, which is the supream and last end to which all other ends are subordinate; of necessity all secular Power must be subject and subordinate to the spiritual power of the supream Ecclesiastical Hierarchy; which (secular power) he is to direct, and if it deviate, correct and judge, and in fine bring to pass that it hinder not the salvation of Christian people. And this is the reason why both Greg. 7 and Innocent 4. when they depos'd Emperors, to shew they did it justly, alledg'd the words of our Lord: Whatever you shall bind on Earth shall be bound in Heaven, and whatever you shall loose on Earth, shall be loosed in Heaven. Mat. 16. And feed my Sheep. Jo. 21. namely to signify that their power to dispose of temporals, when the salvation of souls, the safety of Religion, and preservation of the Church require*

require it, depends not on the uncertain opinions of men, but the divine Ordination of Christ, the eternal King and highest Bishop, and who above all is God blessed for ever, according to the Apostle, Rom. ii.

This is every word of what he calls proof from Scripture; if you or any else think it so, you shall find me reasonable. But indeed it sticks with me. Let us see, *The Ecclesiastical Primacy of the Pope*, says he, is founded in Scripture and Tradition, and this Primacy extends to Kings and Emperors, and contains most ample power of governing, binding and loosing, and this no Catholic denies. Very well; and because I must acknowledg my self a Catholic, I must acknowledg I think it all very true. Thus far we are right. Only I take this most ample Power to mean no more than most ample Ecclesiastical power, for that is all which Ecclesiastical Primacy imports; which Ecclesiastical Power, that it extends to Kings and Emperors, no King nor Emperor, who acknowledges the Ecclesiastical Primacy, scruple to admit. For they take themselves to be part of the flock of Christ, and claim their share in the benefit of the Keys, as well as others. But out of this Principle, says he, the deposing Power is plainly gathered. The Controversy sure will quickly be at an end now. Scripture is acknowledged on all hands, and what is plainly there, or may be plainly deduc'd from thence, will find a ready submission from every body. And though I suspect this Gathering will go near to take the business out of the hands of Scripture; yet, since it is no great matter who does it, so the Miracle be done, let us only observe at present how he gathers this plain inference of his, and how it follows, if the Pope be invested with the Power belonging to Ecclesiastical Primacy, he is invested likewise with the Power of deposing Kings. It is worth while to attend a little to a matter of this consequence, and a little attention will serve turn, where things are so plain. Pray, how does this follow so plainly? why thus says Bellarmine; Because the Pope by his spiritual Power can bind even Kings with the bond of Excommunication. Suppose he can; what then? And by the same he can loose people from their Oath of Fidelity and Obedience, and oblige them under excommunication not to obey the former excommunicated King, but chuse them a new one. How! He can absolve subjects from the duty of Obedience, and oblige them to chuse a new King. Why this is the very thing call'd Deposing, and if he can depose, undoubtedly he can depose. But whether he can do this, is the thing in question,

an, and what he undertook to prove by a plain collection out of Scripture, and does he offer us for proof the very thing to be prov'd? This is neither proving nor gathering, but saying twice over, what they, who deny once, will deny as often as it is or can be repeated, till it be prov'd. 'Tis in plain terms to say, he can loose the band of Allegiance, therefore he can loose the band of Allegiance, or he can Depose, therefore he can Depose. In good earnest I should not easily have believed that such a man as *Bellarmin* should have over-seen himself so much. But I perceive the greatest men that are, are men, and have their failings. And though I should not have run proud of my own wit, if I alone had observ'd a defect so palpable, yet I must needs confess I am not the first discoverer. *Jo. Barclay* has been before me, (and it may be as many as have considered the Argument) as the truth is I say, almost nothing which I have not from others. If you remember I engaged no farther then to acquaint you what others say, and I am as good as my word. But it is so tedious and hobling a labor to be alwayes going over and over again with *This man says that*, and *the other man the other*, that I cannot endure alwaies to cite my Authors. But to return to our matter; All we have here in proof of the deposing power, is that the *Pope* has it: which he that will take for a proof, may; but I fear that who believes it for that reason, had as good believe it for no reason at all. And how much soever there may be of Reason, I verily think there is little of Scripture in it.

There follows the subordination of the two Powers, from the subordination of their ends which is one of the 5 Arguments related in my former Letter, and which to repeat again I suppose would be as ungrateful to you, as tedious to me. But there *Bellarmin* alledg'd it as an Argument from Reason; and how he comes here to intitle it to Scripture I cannot guess. The truth is I am wholly to seek why these two together, and these two are all, which belong to this Head, should be called proof from Scripture, when no place of Scripture is so much as alledg'd. He assumes indeed that Ecclesiastical Primacy is founded in Scripture and Tradition. But this is part of the question. No Catholick disputes it with him. The question is whether the Scripture teach the deposing Power is joyned to that Primacy. I would fain see that place of Scripture which teaches this. When *Bellarmin* undertook to prove his doctrine by



by Scripture, I expected, as I think any man would, he should produce some place which teaches it either expressly, or so that it might plainly be gathered from it. And instead of this he brings us one reason, such as it is, and another which is not so much as a reason, but a bare saying over what he was to prove, and this he calls proof from Scripture.

He cites indeed in the Process of his discourse. *Mat. 16.* and *Jo. 21.* but does not go about to shew how they are to his purpose; only by way of History tells us that two Popes alledg'd them, to shew that they dealt justly, and that the power they challenged, is not founded on uncertain opinions, but divine Authority. Undoubtedly these Popes had reason to desire it should be thought they dealt justly, and that this power of theirs was not founded on uncertain opinions. And every body knows they have alledg'd those places and more. But every body is not satisfied with those allegations, nor can perceive by them that divine Authority does indeed warrant their deposing claim, neither does *Bellarmin* contribute any thing to their satisfaction. They find in *S. Hierom* that the spiritual Key extends it self not to Temporals without arrogance; and some body else from *S. Jo. Chrysostom* has told them, that by the Keys is not understood any power given, but spiritual, to absolve from the bond of Sin, and that it were foolish to understand it of a Power to absolve from the bond of debt. And if they think it as wise to understand it so, as to understand it of a Power to absolve from the bond of Allegiance, they may do so for *Bellarmin*. But you have a great deal to this purpose cited formerly, and much more might be added if it were necessary; by which it may be gather'd, something more plainly then *Bellarmin* gathers, that the Church understood not the power of the Keys as those Popes would have us understand the 16. of *S. Mathew*. The like is of the other place of Feeding: of which you observ'd unhappily that to understand it of Deposing, is to think Christ meant his Sheep should be fed with knocks. Upon that occasion you know I brought you *S. Bernard*, affirming that to feed is no more then to Evangelize. *Fac opus Evangelistæ, & Pastoris munus implesti*. I could easily produce Authority enough for the right sense of this place: But another of the 5 Arguments mention'd in my last being drawn from hence, you see there are all that *Bellarmin* could make of it, which I have no mind to say again.

Several other Arguments there are scattered up and down  
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by several Authors. But I take these to be the principal. At least they are those which *Bellarmin* chose, and he being look'd upon as the Principal Patron of this opinion, I think it needles to look after more, and in his judgment worse. It is now time to acquaint you with the arguments produc'd on the other side, and the answers to them. You shall permit me to contract them into as little room as I can: for my Letter swells, and I am weary both of writing and of the subject. I take them out of *Withrington* and *Barclay*, who being the latest writers, I suppose have seen what was say'd before, though the truth is I am forc'd to use them more by necessity then choice, my library not affording me those former Books whom I would gladly see.

The first, says *Withrington*, is like that which *Bellarmin* makes against those who assert a direct Temporal Power in the Pope. If the Pope have, and that by Divine Right, power to depose Princes in order to spiritual good, this must appear either by Scripture or Tradition. Tradition is not pretended. Out of Scripture, the two chief places are those now mentioned, Mat. 16. and Joh. 21. both which he endeavours to shew are meant only of spiritual power. To this *Schulkenius* for *Bellarmin* replies, He labours in vain to prove these places are means of spiritual power for this they freely grant him. But, say they, this power which formally is spiritual, is virtually temporal, or has the virtue to extend it self to temporals, in as much as is requisite to spiritual good. And therefore *Bellarmin*'s Argument is good, because he intended only to prove by it that the Popes power was formally spiritual, which is true, and acknowledged by *Withrington*. But *Withrington*'s naught, because he does not prove that the Power is not virtually Temporal, and cannot extend to deposition; &c. If I had a mind to answer for *Withrington*, I should not think my self silenced by this reply. For when he says the Arguments are unlike, the one good the other bad, I cannot perceive by what reason one should believe him. *Bellarmin*'s Argument is good, says he, because his Conclusion that the Popes Power is spiritual is true: as if the Argument were a jot the better because the Conclusion is true. The Argument is naught if the Conclusion follow not from the premises, though it be never so great a truth otherwise. But what was the Argument? No direct Power in Scripture, therefore no direct Power. This I take is *Bellarmin*'s Argument; and by the favour of *Schulkenius*, no deposing Power in Scripture, therefore no deposing Power is so like it, that they must be both good or neither. That the Conclusion

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of the one is true, and the other false, is voluntarily said, and nothing to purpose: for the question is whether they have not the same dependance on their premisses. If *Bellarmin* conclude well against the Canonists, because they cannot shew their direct Power in Scripture, I see not why *Withrington* concludes not as well against *Bellarmin*, unless he can shew his deposing Power in Scripture; which as far as I see *Schulkenius* does not go about to do. But I have nothing to do with *Withrington*, he has answer'd for himself, though by ill luck I have not the Book now by me. I am only to observe how the case stands betwixt the two parties, which in short is thus: Is the deposing Power in Scripture, says *Withrington*? 'Tis virtually, says *Schulkenius*. I fear this is no very direct answer, and suppose *Withrington* should ask again: Is this vertue apparent in Scripture? To which *Schul* gives me no ground to judge what he would reply. And so I must leave them as I find them, and pass to the

Second Argument. Coercitive Civil, and coercitive spiritual Power being different and independent Powers, must have distinct Courts and distinct penalties. Wherefore as the Civil Power cannot inflict a spiritual punishment, so neither can the spiritual Power inflict a civil punishment. And this he strengthens by two Considerations.

1. That the distinction of the two Courts, since in the manner of proceeding, the persons and causes brought before them, and all other formalities they may agree, must be taken from the difference of the penalties, or nothing. 2. Because no Commonwealth, looking only into nature, can deprive a subject of other goods then such as are proper to that Commonwealth; the spiritual can only take away spiritual goods, as the temporal only temporal. They answer. The two Powers are distinct, but not wholly independent, when they club into one mystical Body, viz. the Church, in which case the temporal is subject to the spiritual, and therefore though the temporal cannot meddle with the spiritual, the spiritual may with the temporal. And for his additional Considerations, they slight the first as being nothing but the conclusion of his argument repeated: yet say however that Temporal punishments are not so proper to Temporal power, but they may be inflicted by the spiritual. And to the second, that in Commonwealths subordinate, the superior may deprive the subject not only of the privileges proper to it self, but those also which belong to the inferior Commonwealth. This answer relishes much better with me then the former, for it plainly denies at least half of, what is assumed, namely that the powers are independent, which is a direct and

allowable answer for so much. But for the other half, they deal not so cleverly. They allow the powers distinct even in their penalties, and yet maintain that one may award the penalties of the other, which looks as if they were not distinct in their penalties. Again, they say they are distinct, but assign not in what they are distinct. They deny not what *Withrington* assumes that they may use the same proceedings, take cognizance of the same matters, convene the same persons; And if they may inflict the same penalties too, by what shall they be distinguished? So that I think they had no such great reason to slight his first consideration. For certainly distinct powers must be distinct in something. But you see where it rests. *Withrington*, since they deny it, is oblig'd to prove the Independence of the two Powers, which whether he have done or no, I cannot tell. Shall I tell you my thoughts freely. I suspect the old School Proverb, *And As may deny more more than Aristotle can prove*, may have some place here, and that the Answerer has still the better end of the staff. When it was *Bellarmins* turn to prove the dependance and subordination of the two Powers, and *Withringtons* to answer, you may perceive by my last where you have the Argument. He could deal well enough with *Bellarmin*. Now they have changed sides, and *Withrington* is on the proving hand, how it will happen I know not.

The third Argument is from the multitude of inconveniences which follow from the other opinion. As, that the Pope may as well take the life, as Kingdom of any Prince, and driving it a little higher, authorize any private man to turn Assassin, and kill the King by treachery, when he cannot be conveniently depos'd. To this they say they can answer easily enough: but yet as easy as it is they do it not. All they reply is, let this pass as nothing to purpose: meer bugbears to render the Papacy odious, when of so many Princes who have been depos'd, so many who have perisht by violent deaths, what by the treachery of their subjects, what by the force of their Enemies, not one has been kill'd by any Pope or his command. Even Antipopes themselves their greatest enemies, have found not only safety, but gentle and favourable usage from them when they have fallen into their hands. This they amplyfy, and dress as handsomly as they can; but methinks after all tis but a sorry dish. For sure tis no God-a-mercy to the opinion, that Popes have been better men, then It would have made them. On the contrary, since they were therefore good men because they did not do what the opinion allows,

lows, what must the opinion be, which if they had follow'd they had not been good men. That they did not do ill, they owe to their own vertue, but that they might have done ill, makes the opinion naught. At least I conceive so, and had I been in their place, would rather have given no answer then such a one

For another inconvenience he urges, that *Princes may be deposed and murdered for any crime which in the judgement of the Pope deserves it; if he sell a Bishoprick, plunder a Church, fall into any sort of wickedness, nay, if he live not according as his state and condition requires.* To this last they except, as a wresting of Bellarmins words beyond his intention; but for the rest, reply again, that *'tis another odious amplification, and that it may be understood for what causes Princes may be depos'd by the sentences against Hen. 4. and Fred. 2. In general, that the causes must be very weighty, and such that the punishment be to edification not destruction.* I must acknowledge my dulness, and that I comprehend not the force of this answer. To my apprehension by the sentences against these two Emperors can be known no more, then the reason why these two Emperors were deposed; from whence it may be gathered that for the same faults a Prince may become liable to the same punishment; but whether there be any other deposing faults, and which they be, cannot, I think, be understood by them. Then again these *weighty, and to edification-causes* may, for any thing they say to the contrary, be any which the Pope judges such; Now this is that which *Vithrington* objects; and I had thought that to say the same with my Adversary, had not been to answer him.

The third Inconvenience is, that, *not only the Pope, but every Bishop may depose by this doctrine* (and with a little more stretching, perhaps every Curate too) *where the Prince belongs to their Diocess or Parish.* And this he justifies by an argument of Bellarmins against the Canonists, which he puts thus, *If the Pope be the supreme Lord of the whole Christian world, every Bishop is Lord of the Towns subject to his Bishoprick; for what the Pope is in the universal Church, every Bishop is in his own Diocess.* They reply, that by this argument it may perhaps be concluded, that a Bishop may excommunicate a Prince as well as the Pope, but not depose him, because though he be in his Diocess what the Pope is in the Church, as much as amounts to being truly a Pastor, and truly a spiritual Prince, not a Vicar or temporary Delegate; yet the Pope has more power over the whole, then a Bishop over his particular. For which reason deposition was reserv'd to



the Pope in the Council of Lateran. Wherefore Bellarmin's Argument is good, and Withrington's naught. He who undertakes the defence of another must stand to it, that his man is still in the right : but otherwise I see not why one argument should be thought good and the other bad. If the Pope be a temporal Prince, the Bishop is a temporal Prince, says *Bellarmin*, because he is in his part what the Pope is in the whole : this is good, says *Schulkenius*. If the Pope be a virtually temporal Prince, the Bishop is a virtually temporal Prince, says *Withrington*, and for the same reason, how comes this to be bad? because says *Schulkenius*, the Pope has more power over the whole than the Bishop over his particular. This belongs to Bishop-craft, which I understand not; but if it be true, first *Bellarmin's* argument is as bad as *Withrington's*; for it may be reply'd to it, that it does not follow the Bishop is a temporal Prince though the Pope be, because though the Bishop be no Vicar, yet he has not the power which the Pope has. And then again, though the Pope be a greater virtually temporal Prince than the Bishop, yet the Bishop is a virtually temporal Prince too, and may proceed beyond excommunication, and spiritual jurisdiction, and set his hand to temporals. For if spiritual power be virtually temporal, and the Bishop have it, and this in his own right as well as the Pope, not by way of delegation, I hope he may use what he has, and dispose of temporal things in order to spiritual good. And where shall this stop? To mention as he does reservations is to grant that it belongs to the nature of the power, though the extent of it were afterwards confin'd by consent. Besides reservations are temporary and changeable things, and what is reserv'd to day may not be so to morrow. However if the greater virtually temporal Prince may depose Kings, sure the lesser may depose private men : for this temporal vertue must be able to do something in Temporals. And thus much is inconvenience enough in conscience, though I see not well how he avoids the other. Were I to answer *Schulkenius*, I should except against his understanding the *Samenes* which *Bellarmin* puts in Pope and Bishop, of being both spiritual Princes not Vicars, which I verily think is to make *Bellarmin* say what he never dreamt of, or if he did, was quite from his purpose: But that is not my business. I am only to observe how matters stand, which are as you see.

In the last place *Withrington* urges that this supreme power over  
 tempo-

temporals delivered in such general and unlimited terms, not determining how great, or what kind of spiritual good that must be, in order to which Deposition is lawful, seems a just occasion of perpetual suspicion and jealousy in Princes, and apt to disturb the publick quiet, &c. They answer, Christ may as justly be reprehended for delivering the spiritual power in general terms, as Commonwealths for submitting in general to obedience of Princes whom they create. Whereof I take neither to be true: for Commonwealths have things call'd Laws and Customs by which doubts rising from general expressions are explained. And for the general expression in the Gospel, whatever you shall bind, &c. I hope he will not perswade us, but as general as it sounds to us, it was very particularly understood by the Apostles. And as they understood it, so they practis'd and so they taught, and among other things, subjection to Princes, notwithstanding the amplitude of that Commission. But if both were true, still the inconvenience remains, for ought I can see; since whatever be the reason of the general terms us'd in the Gospel and elsewhere, it abates nothing of the jealousy and suspicion rising from the unlimited expressions of this doctrine. Upon the whole, they seem plainly to grant all the inconveniences objected by *Wishrington*; which is to confess that, as far as this Topick is effectual, They are confuted. They slight the place as nothing to purpose, notwithstanding, since 'tis the Gospel rule to judge of the Tree by the fruit and since Logick allows the Topick, I think they were oblig'd to shew either that the inconveniences were not inconveniences, or else that they did not follow, and in fine have answered better if they could.

The fourth Argument is from the practice of the Church, begun with the Church it self, and continued for many ages: no mention in Scripture or ancient Fathers of a power either in Pope or People to deprieve, or kill even persecuting Princes; but all is unanimous and constant exhortation to patience and obedience. Now if there be any warrant in the Gospel for Christians, when they come to be strong enough, to cast off such Princes as are enemies to the Church, we must needs have heard of it, &c. *Wishrington* dilates, but this is the substance. They answer two things: First, That the practice of the Church varies according to different times. That for the first 300 years she practis'd patience because she could do no other, there being no Prince disposed to protect her; after wards it became the practice by means of Catholic Princes to resist Infidel or Heretick, or any way injurious to her, whether

whether Princes or People. And for this they largely instance in the several expeditions made for the recovery of the Holy Land, all commanded, say they, by several Popes, and their commands obey'd by Christian Princes. I begin to suspect I do not understand what we are talking of: if I do, certainly this is nothing to it. I thought the question had been whether subjects may lawfully desert their own Prince, and refuse to perform the obedience due to them by Law and Oath, upon the Popes command to the contrary, and *Sculkenius* talks of one Prince making war with another. No man doubts, or if any do, our business has nothing to do with his doubt, but that Catholick Princes may lawfully make war, and the Pope lawfully perswade them to it to protect innocence, and hinder oppression whether of Ecclesiastical or other right. But this is a case betwixt Prince and Prince; ours, if I understand it, is betwixt Prince and Subject. For my life I cannot understand what relation the holy war has to this matter: nor can I imagin what share the Pope had in it, more then a man of zeal and credit to perswade them, as any other might have done, to a good work. I do not believe any Prince who went thither thought himself oblig'd by the Popes commands, or that he commanded any to go, except in the case of Vow, or the like engagement of his own. 'Twas zeal, not obedience which carried Princes thither. In short, if *Sculkenius* mean this practise, which he says was introduc'd of resisting force by force of Princes interposing for the relief of innocence as they saw occasion, he speaks of another matter: If he mean that when subjects get force enough they may use it against their own Sovereign, upon warrant of the Popes authority, he teaches us a piece of Christianity, which I would advise should by all means be kept carefully conceal'd from those Infidels whom in the *Indies* and elsewhere zealous men seek to convert. If ever they get any inkling, farewell all hopes of the progress of Christianity. 'Tis in truth a position extreamly false, and extreamly shameful. Their second Answer is, that *Wicbrington* is out, when he affirms there is no mention in Scripture or the ancient Fathers of deposing or killing Persecutors. For there is mention in both of *Saul* depos'd by *Samuel*, and *David* plac'd in his room: Of *Agag* kill'd: Of ten Tribes taken by *Ahaz* from the house of *David* and given to *Jereboam*: Of Kings set up and pul'd down by *Elias* both in *Israel* and *Syria*: Of *Jehu* made King by a Prophet, and *Joram* both depos'd and kill'd: Of

*thalia*

*\*halia, and Ozias, one kill'd, the other depos'd for Leprosy: Of Hieremy plac'd over Nations and Kingdoms, to pluck up, &c. Of the Maccabees fighting successfully against Antiochus. And it cannot be doubted but the High Priest among Christians has as great, or greater power then the High Priest among the Jews: where they repeat again the two places. Mat. 16. and Joh. 21. and that deposing power is necessary to the integrity of the commission given by them: and conclude with Lucifer Calaritanus, who says nothing to the purpose. Some think Bellarmin wrote this book, and borrowed the name of Schulkenius to disguise his own. Tenderdown Steeple had as much to do with Sandwich Haven, as this with the Deposing Power. It were easy to shew as much of every one of these examples, if I would take the pains to run them over particularly: but since Bellarmin himself slights them, I may be permitted to do so too, and save that labor. I will only observe that the High Priest among the Jews interven'd in few of these examples, and to conclude a power in the Christian High Priest by a parity with the Jewish High Priest from instances where there was no exercise of his Power, is a shortness of which Bellarmin was too sharp-sighted to be guilty. That which Lucifer Calaritanus says, is that Constantine was a wicked man, and deserved death: which is Tenderdown Steeple again. A Prince no doubt may be a wicked man, there have been more in the world besides Constantine, and more have taken notice of their wickedness besides Lucifer Calaritanus. But what then? Neither does he mention, nor do I know any tribunal, which can call them to account for their wickedness but that of the last day, from whose impartial Justice Princes shall be no more exempt then other men. And to that we must leave them.*

The last is rather a Transition then an Argument at least the force of it depends on what follows. *Withrington* makes it in this manner. *To subject Princes to another power without sufficient reason, is plain injury to Princes, and plain treason. But Bellarmin's reasons, which are the best, are insufficient, &c. And so goes on to examine and disprove them, as I have already inform'd you. They reply by retorting the same Argument. As tis wicked to subject the Power of Princes, so tis both wicked and sacrilegious to diminish the Power given by Christ without sufficient reason; but the reasons of Withrington and Barclay are insufficient, &c. They farther deny either that he has, or can answer Bellarmin's reasons, or that he has done his business though*

*though he could, because another may have better.* But unless they would inform us where those better reasons are to be found, there can be no more done, then to deal with those, which He who is most in vogue thought the best. For the rest, these are flourish on both sides; The matter rests upon this issue, which of the two has the best reasons, and he that has will carry it. Tis time for me to leave it with you to stand for the Plaintiff or Defendant as you see cause, and ease my self of this ungrateful labour.

You see what is said on both sides To tell you what the world thinks of their sayings, is not so easy. The world is a politick world, they let the hot men write and wrangle, and for themselves hear all, and see all, and say nothing. The truth is, while one side talks of Treason, and the other of Sacrilege, tis good to be wary. Tis not for private men to make an enemy either of *Pope* or *Prince*, and as the case stands you cannot say I, or No, without displeasing one. I must confess I am very sorry you would not let me play the Politician for company. Your importunity has drawn me into the list of those fools, who disquiet themselves to please other folks, and take a great deal of pains to be talk't on, twenty to one, very scurvily. The quarrel is betwixt supream Powers, and they best know what to do in their own concerns. I fear tis little better then sawcines for men of our form to interpose in things so far above us, and perhaps madness, to thrust in bewixt two stones, and be crusht in pieces. I see this, yet cannot avoid whether the charms of your Friendship or violence of your importunity. Tis true I have endeavoured to touch this tender matter as tenderly as I could. What I profess at first, I repeat again, I do not dogmatize but relate, and am sure you have no reason to be displeased, that I would displease as few as I could. This is the reason, since you will needs have it, why I beat about the bush, and do not shoot my fools-bolt directly at the mark, I do not take the satisfaction of your curiosity to import me so much as living quietly. Tis for Princes to resolve on the *Can nor*, or *Shall nor* or what else they think fit. Private men till they be commanded to declare them do best to keep their thoughts to themselves. This I can assure you, that, though for these reasons I do not desire every body should know them, I have none in this matter which do not become a good Christian and a good subject, and

*Your faithful friend, &c.*



*The Eleventh and Twelfth*  
OF THE  
**Controversial**  
**LETTERS,**

O R  
Grand Controverſie,

Concerning

The pretended Temporal Authority  
of *POPE S* over the whole Earth,

And the

True Sovereign of *KINGS* within  
their own reſpective Kingdoms.

Between two Engliſh Gentlemen,

*The one of the Church of England:*

*The other of the Church of Rome.*

---

L O N D O N,

Printed for *Henry Brome* and *Benjamin Tooke*, at the Gun;  
& at the Ship in *St. Pauls Church-yard*, 1674.

The Elements and Twelfth

OF THE

# Controversial LETTERS

O. R. A.

Grand Controversie

Concerning

The pretended Temporal Authority  
of POPES over the whole Earth,

And

The Sovereign of KINGS within  
their own respective Kingdoms.

By James Oglethorpe

The one of the Church of England;  
The other of the Church of Rome.

LONDON

Printed for Henry Brome and Benjamin Tooke, at the Gun-  
B at the Ship in St. Pauls Church-yard, 1678.

## FRIEND,



F all I have seen or heard you shall have it for Policy. Sir *Wood-bee* himself is no body to you. The sum of what I askt was in two words: *Are you a good Subject?* And the sum of your Answer is: *Betwixt you and me I would have it thought so, but make no words on't; private men must not meddle with things above them.* Here's *Ragion di stato* for you. Things above them? Why! is Honesty among you lookt upon as a thing out of reach? Are you of kin to the *Muscovite*, who being askt of his Faith in God, and hopes of Salvation, reply'd They were things above him, which he should be glad were true, but could not think so great a Majesty could ever think of so poor a man. Is it above you to be a good Subject, and a thing which you dare not confess for modesty sake, and the imputation of fawciness? Are things carried so among you, that you must needs live unquietly, if your Neighbours know you deserve to live quietly? Is it become a piece of interest and policy to be ill thought of; and if there be an honest man among you, must he by all means make a secret on't, for fear of exasperating Supream Powers, and thrusting in betwixt two stones? How have I been mistaken! I took you for a plain dealing man, and you are the very Pink of Policy. But for meer shame I could find in my heart to quarrel with you, and cannot for my life but tell you, you have taken a great deal of pains to little purpose. Pray permit me to revenge your honesty by unmannerly bluntness, and to carry it to the uttermost, ask you how far you are from *Pedius* in the Sayer?

*Fur es ut Pedio. Pedius quid? crimina rassis*

*Libras in Antithetis*

The question being of robbing no less than Sovereigns, *Are you a good Subject?* is but in less homely Terms, *Are you a Thief?*

And your Answers are as like as the Questions. Only *Pedius* was for Rhetorick, and you for History. Some say this, and some say that, which is all you tell me, is but Historical Antithesis.

You tell me I may judge as I please. I know I may, and I do judge as all men of judgment do. But pray remember those that do not plead directly *Guilty*, or *not Guilty*, cast themselves. Had I only desir'd to know what people say, it had been no such hard matter to have got Books, and read them my self, and never troubled you. I know the Arguments well enough, and I know what to think of them; but I know not what to think of you, whom a man that were not, as I am, very favourably inclin'd, would be apt to suspect you think something which you are asham'd to own. No *Friend*! You scape not so. I would, and if you be not very obstinate, will know what you are, and whether those of your Religion may be trusted. If you believe what is publickly written, and own'd by some among you, you are not; if you believe it not, but yet will not disown it, as honest as you are in your heart, since no body can tell but you are a knave, how can you expect but to pass for one among the rest? Either deal frankly with me, or I must with you, and tell you 'tis *Guilt* that fears the light. If you continue still to make a secret, of what of all the world it most concerns those of your Perswasion to publish, both for your own interest, and honour of your selves and Church, he must be a very good natur'd man who will think well of you, who make dainty to shew why he should do so. You are charg'd with inconsistency with Civil Government: You faintly deny it, and say you are traduc't, but are shy to justify your Innocence. your Church it self is call'd in question, where the Books are licenc't, the Authors cherisht, and the Doctrines put in practice. You tamely hear all this, and would have us think your Church a good Church for all that, a pure unblemish't Church: but, if we will not of our selves kindly turn away our eyes and look off, you will not do so much for her as wipe off those blemishes.

'Tis true you have told me, and 'tis the only thing to purpose you have told me, that That cannot be the Churches Doctrine, which is openly disclaim'd by a great part of the Church, and that part acknowledg'd Orthodox by all the rest. But if your Church forbid any to profess their minds as freely

as others, it must needs be suspected She has more kindness for these Doctrines than is for Her honour : and, however sound she may be, is yet a very injurious Church, which obliges her Subjects to pass for suspicious and dangerous people, and be thought to hold what they are not oblig'd to do, and what perhaps they do not hold, but must not say so. Besides, I have already told you the Case is not much different, whether these Doctrines belong to your Faith or not, if they be thought true ; for that is enough to make them practic'd upon occasion. And if your Church permit none to say they are false, who can think but she desires they should pass for true, and that they will do so at last if they do not already ? And then truly we have great security from your Answer ; as if, because these Doctrines do not belong to your Church, as Church, they might not be made use of by your Church as so many men.

I told you this before, and you saw well enough how much your Churches reputation was concern'd, notwithstanding what you say for her; and yet you continue cold, and will say no more. Never tell me. This Lethargy of yours is not for nothing. If you be grown careless of your own credit and interest, I thought nothing could have quench'd the Zeal you all have of your Church. How ! a Papist insensible when the Honour of his Church is in question ? Deny it as long as you will, either you are forbidden to speak, and let people know what you harbour in your breasts, or you harbour something there which 'tis not for your interest people should know. In short, this constraint which is upon you must either be from abroad, or at home. You deny there is any from abroad : And I hope you say true ; otherwise, I know not what to think of a Church which permits not her Subjects to approve their fidelity to their Prince. If it be at home, it can be nothing but Guilt, and shame, and the Conscience of adhering to bad Tenets. For, I hope, you do not think in earnest the State should take it ill of any, who should profess as openly as he will, that he is an honest man and a good Subject. If you fear nothing from your own side, it goes very ill with you if you have to fear from ours. We know who they are to whom the Civil sword is a Terror.

Excuse



Excuse not your self upon my curiosity; and think it inconsiderable and unworthy of satisfaction. 'Tis true, I am curious, and if I were not, you would make me so. But let me tell you, my curiosity is more a friend to you then your squeamishness. For, pray consider, No Commonwealth, at least none of a different Communion is safe, where those Doctrines are receiv'd, which are current among some of you. Who's the Friend? I, who give you occasion, and press you to clear your selves? or you, who by your backwardness, will make it shortly be thought you cannot be clear'd? I know well enough, there is no great Community, nor can be, whose Members are all free from fault. The nature of mortality bears not an absolute perfection. But do you think it a small point of friendship, that I offer you the means to make it appear, that whoever is faulty, you are not? Every body can tell, and were it put to your self, I am fully perswaded, you would not deny it, that he is not very well principled for a Subject, who believes what some of you teach. While you make such a mystery of it, no body can say you are not of the number, and many will suspect you are. In fine, there is no choice; but either you do believe ill, and then I must change my good thoughts of you; or you do not, and then either say so plainly, or you are the most superlative Politick in the world, to take other mens faults upon you, and entitle your self to a guilt which is none of your own.

If you will give off the defence of your Church, and leave her to shift, as well as she can, for her self; why, with all my heart: I have no reason to wooe you to a sense of your Churches reputation. If you will grow careless of your own fame, and be content to have it thought you deserve the harsh censures which some make of you, you may too, if you please, though, as a Friend, I would advise you to do otherwise. But let me tell you, if you become forgetful, we shall not. We remember, there was such a time as 88, and a thing call'd the Invincible *Armada*, and which might have been so indged, if the Commanders had not been more careful to stick punctually to their Orders, then do their business. We remember, the cause of all this was, what *Sixtus* the Fifth calls Heresie of the Queen, which mov'd him to expose the Kingdom as a prey, and *Philip* the Second to seize it. We know this cause remains,  
and

and hope it will do so : If it have not wrought since, we may thank the want of opportunity, and prospect of another *Armada*. But when occasion serves, we cannot but think, the same cause will be apt to produce the same effect.

Now, pray review your Politicks, and see whether they will counsel you to settle this opinion among your fellow-Subjects, that in such a case, which may happen, because it hath happened, there are who would joyn with an enemy, and help to enslave their Countrey ; and that you are the men. If your Politicks do advise you to this, they are the worst natur'd, unkindest Politicks in the world. I am sure, let who will be the Politician, I am the Friend : But however they advise you, we, who are no Politicians, should be glad to know there are none such among us, or if there be, who they are. We value our own safety, though you do not your credit.

Notwithstanding, if you will persist in your Politick diffidence, and think, we Hereticks are not to be trusted so far, as to be made acquainted that you are not errant Knaves, I cannot help it. But I will convince you, if I can, that there is something more then bare curiosity in the matter. Let me tell you, in confidence, since this business must needs be made a secret, that I am no such stranger to it, as you think : I have thought of it a whole Moneth at least, and am deceiv'd, if I do not see a little into the Millstone. At least, I am sure, my eyes have one advantage, which, I suspect, yours may want, that they are not dazzled with the lustre of great Names. *Bel-larmin*, or *Calvin*, or if there be any of a more glorious sound is no more to me then his reason, and at the hazard of being thought blunt, or rash, or over-weening. I must needs avow to you, I am for the *what's said*, and care little for *who said it*. If every body were of my humor, I mainly suspect, this Indirect Power, which makes so much ado, would have long since appeared neither better nor worse then direct non-sense. Pray let us consider it a little.

The Question is, *Whether there be in the Pope an Indirect Power to depose Kings*. He that would know, whether this be true or no, should do well, in my opinion, to take along with him, what it means. 'Tis a Circumstance, I must confess, which is oft forgot, and that forgetfulness, I believe, is the cause we find so much blind mans Buff in Books : But yet for once,

it will not be amiss to remember it. And because every body knows what *Pope* and *Power* means, likewise what 'tis to *Depose*, and what a *King* is, there is only this *Indirect* which needs unriddling. Now we often hear of *Indirect* dealing, and *Indirect* courses in the world, and 'tis hard if people do not know what they mean. Indeed we are apt when we hear these words, to apprehend something shameful or bad, because there is generally something shameful joyned with them, fair ends being ordinarily fairly pursued. But yet shameful is not the notion of *Indirect*: For a good and commendable thing may be brought to pass *Indirectly*, and if it be bad, the badness is one thing, and *Indirectness* another. The Merchant who met with Pirates in the dusk of the evening, when they could not discover his weakness, and frighted them off by a counterfeit confidence, hanging out his lights all night, sav'd his Ship *indirectly*, or by *indirect* means, when direct fighting or flying had lost it: And the Owner, I suppose, did not think this *Indirectness* blameable. A *Nuncio* of a certain place is reported to have publish'd an Excommunication, thought unjust by the persons concern'd; they had no power to take off this Excommunication themselves, or command the *Nuncio* to do it. Wherefore they took an *indirect* course, and set Guards upon the *Nuncio's* House, and suffered no Victuals to be brought in, till he thought it better to recal his Excommunication, then starve. These men too compass their end *indirectly*, yet commendably, supposing the Excommunication was indeed unjust. When *David* caused *Uriah* to be slain, the action was both *indirect* and wicked, but yet for several respects: 'Twas wicked, because it was the death of an innocent man, but *indirect*, because he did not himself kill him, or command him to be kill'd, but ordered that out of which his death followed. Wherefore when we say, a thing is done *indirectly*, we mean, as I conceive, that something is done, which we would, or could not do, by immediately endeavouring the thing it self, but which follows from some other thing we do. And *Indirect* signifies, not directed immediately to that thing, in respect whereof 'tis called *Indirect*, but to some other, out of which what happens, whether by design or chance, we say, happens *indirectly*.

Now if this be the meaning of *Indirect*, I am something at a loss,

loss, how it can with propriety be apply'd to Power. For Power seems as direct to every effect as to any: Neither do I perceive how it can be directed otherwise, than by being determined. When a man of the many things, he can do, resolves upon one, the power he has becomes, by that resolution, determined or directed to that one, which he chuses; what other direction there can be of power occurs not to me at present. But if Indirect apply'd to Power signifie undetermin'd, there is plainly no room for the distinction of Direct and Indirect. For every Power is undetermin'd till it become determined; and when it is determined, it is direct, or directed, to that thing to which it is determined; neither can there be such a thing as Indirect Power from which any thing can follow; for nothing can follow from a power undetermined, and Power from which nothing can follow is not Power. And the truth is; we do not give the name of Power to that which goes indirectly to work. Not, but that the intended effect may follow, but we call it not Power in relation to such an effect. We do not, nor can with truth say, a King has power to take away the lives of innocent Subjects, although he may, as *David* did *Uriah*, command them something by which their Death may happen. The Merchant ow'd his safety not to power, but stratagem and luck: And those who starv'd the *Nuncio*, had no power to take off the Excommunication, on the contrary 'twas their want of power which made them act as they did. So that I suspect those who first joyn'd these two words Indirect and Power together, did not much amuse themselves with considering the import of them: Indirect seeming a kind of *Destroying*, or, as they call it, *Alienating* Term, and making the Power to be not-Power. Wherefore I believe 'tis Action, or Effect which is with propriety call'd Indirect, not Power. But, yet because it matters not, so we understand one another, what words we use, Power to an Indirect effect may with fence be called Indirect power. So a Prince who, to recover or preserve his right, has direct power to make war, may be said to have indirect power over his Subjects lives, which must be hazarded in the war. In this manner Indirect Power is intelligible, and signifies Power to something out of which follows another thing, which would not follow immediately from the Power it self. This other thing may either be intended, as the Death of *Uriah*,



or not intended, as when one is slain in war whom the Prince is sorry to loose. And from this Intention comes Wickedness or Innocence, not Indirectness, which proceeds only from this, that the effect flows not immediately from the power, but is joyn'd to something which does.

But now Indirect Power is become intelligible, let him make it intelligible that can, how the Deposing Power, said to be in the Pope, should be Indirect. If he can command Deposition, and must be obey'd when he commands, and the Prince depos'd by force of that command, his Power is as direct as Power can be. For when the Pope says, *I Depose*: I pray what is it which he commands? I understand he commands Deposition it self, and not another thing out of which he expects Deposition should follow. Again, when his command, as the luck on't is, it *seldom* does, proves effectual, and a King is depos'd: pray in vertue of what is he Depos'd? I understand 'tis in vertue of that command. Now, because that Power is direct, which immediately commands an effect, which follows from that Command or Power, there neither is nor can be any Indirectness found here, but in the very notion of Direct. So that I told you 'twas a scurvy thing to jabber words, and never mind what they signifie. For there is nothing in all this which Indirect power can mean, but Direct Power. In fine, there is no way to make this Power Indirect, but by saying either that the Pope, when he commands Deposition, does not command Deposition, which for my part I would not do, because I fear I should tell a lye: or else, that Deposition does not follow from that from which it follows; and if I should say this too, I fear I should tell two lies. But however, since Indirect sure must be some way opposite to Direct, The Popes Power to be Indirect must be some way not directed to Deposition. Which way this should be, he must be wiser than I that can tell. If Determination or Intention would do it, sure it cannot be thought he is not determin'd, or does not intend to do that which he commands. And if the Directness be taken, as it ought, from the immediate influence of the power upon the effect, we see he precisely commands this particular effect, and 'tis maintained this effect must follow in vertue of that command. Now if any man can understand how a Power should be Indirect in respect of an Effect to which it is directed all the ways by which Power

can



can be directed ; I would gladly be directed to that man , to learn of him how nonsense may become sence. But till I do meet him , I must needs think that this distinction of Direct and Indirect in this case , is a meer sound of words which signifie nothing , and by which the Authors speculate themselves into nonsense, and abuse themselves and their Readers.

I am not ignorant that those who maintain this Indirect Power speak otherwise of it ; but I think I speak as all men, besides themselves, speak , and know not by vvhat right they force upon vvords meanings proper to their purpose, and contrary to what general custom has fixt upon them. To alter common and settled Notions, is to perplex and embroyl things, and condemn the inquiries of men to hopeles and endless confusion. For Truth is discovered by seeing the connexion of Notions ; and Notions are known by Words : and if the Notions belonging to vvords remain not steady and unchanged, our search after Truth must needs end in uncertain noise, and inextricable blunder. He who has the liberty to alter the notion of vvords, is empowred to maintain any thing. If he take a fancy to defend that *Fer* is vvwhite , 'tis but by vvwhite meaning black, and the business is done. Where I see Notions changed I am mighty suspicious there is a design upon some Truth or other in the Changers. And so I fear it happens in our case. For if Indirect Power mean, according to the apprehension of men, Power to an Indirect effect, Those who will maintain in the Pope an Indirect Power must , to speak sence, say, that, though he has not immediately and properly Power to Depose , yet he has power to do something out of which Deposition vvill follow. And this they vvould fain be at. For , give them their due, they are no enemies to sence, vvhile sence is no enemy to them. They offer therefore sometimes at Excommunication, and vvould make us believe that from thence must follow Deposition. Excommunication is vvithout doubt a proper effect of Spiritual Power , and so comes vvithin the sphere of the Popes activity, and if it vvould but follow, that an Excommunicated Person can have no Communication no vvay, and vvith none ; An Excommunicated Prince vvould by that means be Deposed. For he could not govern those vvith vvhom he could have no entercourse, and if he could no longer govern , he vvould be no longer King.

This now is sence, and intelligible; but the mischief is, it will not do. They find Excommunication, when they consider it a little better, hinders indeed Communion in Spirituals, but if there be any temporal tie to the Excommunicated person, as of a Wife to a Husband, a Servant to his Master, all Subjects to their Prince, Excommunication leaves this as entire and strong as it was before. Any that has business with him, may deal with him notwithstanding his Excommunication. For it would be fine, if, when an Excommunicated person owes me money, I should not require my debt of him because he is Excommunicated. Wherefore no Excommunication will hinder a Prince from conversing freely with his Subjects, and his Subjects with him. Nay, they are obliged to all the acts of Duty to which they were before, and not to become faulty themselves, if perhaps their Prince be so. Wherefore because this will not hold water, they will not trust to it, but think it safer to make bold with a word and give it a new notion, than venture the cause upon a foundation which they are conscious will fail them. 'Tis a great deal better to talk a little non-sence, than by obstinately sticking to sence, hazard the loss of a good Cause. That the Pope shall have power to depose Kings, come what will, they are resolv'd. And because the Canonists do not thrive very well with their extravagance of making him sole and absolute Monarch of the World, they think fit to be a little more modest, and allay the bold heat with sprinkling this Indirect vpon it. But then the notion of that word importing what they cannot make good, there is no remedy but they must give it another. If they could have kept the sence too, it would have been so much the better; but since that will not be, they think it at least something, if their Tener, let it signifie what it will, sound not altogether so harshly as the Canonists, with which they perceive the World not very well pleas'd.

*Bellarmino* therefore applies this lenitive, and saies the Pope disposes of Temporals only Indirectly: but whether he forgot the impertinent Circumstance, or had any other reason, never tells us what that word means in his *Rom. Power*. where he first uses it, but leaving it to shift for it self, and us to guess what it means, goes on to prove the power which he calls Indirect, never offering to shew that 'tis Indirect. Neither is there any mention,

mention, or use made of the word, that I perceive, in the whole course of his Arguments. So that 'tis manifest, *Power* was the thing for which he was concern'd: For the *Indirect*, he thought it no great matter what became of it, being perhaps in his own judgment but an insignificant sound, without influence upon the thing. Nevertheless against *Barclay*, when he had bethought himself, he kindly tells us what he means. *The Popes Power*, says he, is per se, and properly spiritual, and therefore has reference Directly to spiritual matters as the primary object: but Indirectly, that is, in order to Spirituall, reductively, and by necessary consequence, so use that phrase, looks upon Temporals as a secondary object, to which it applies not it self but upon occasion, casu or casualiter, as the Canon speaks. This is, if you will, consequential, or reductive, or secondary, not Indirect Power. For I think all the world will say a King has very direct Power to make War, and yet he does it not, but upon occasion, and in order to peace, and in consequence of his power to maintain peace, and establish plenty, and security, and convenience, which is his primary object, and to which making war is by necessary consequence reduc'd. But however 'tis a comfort to know what he means: And now we know what we talk of, let us a little consider the import of the Thing, and leave the Terms, which if he will use improperly, I have not so much as indirect power to help it. 'Tis likely that to deal with words as he pleases, is not the only Priviledge of a Cardinal.

In the first place then, I would fain know what real difference this word *Indirect* makes betwixt his opinion and the Canonists, which even he himself disproves. And we will take the Canonists opinion, as he states it himself:

*That the Pope has by divine right most full power over the whole World, both in Ecclesiastical and Political matters.*

De Rem. Font.  
15. c. 1.

In this there are three particulars: That the Popes Power is most full; That 'tis in Political and Civil, as well as Spiritual matters; And that 'tis by Divine right. In one of these three he must disagree with them, if he will disagree at all. Now his own opinion in his own

Terms is: *That the Pope, as Pope, has not directly and immediately any temporal, but only spiritual Power: but yet by reason of this spiritual Power, he has at least Indirectly, a certain, and that highest (summam) Power in Temporals.*

Ibid.

I am unsatisfi'd with more then one thing in this opinion, as you will perceive by and by. But for the present, I only desire an *Oedipus*, to unriddle to me the difference betwixt the two opinions. The Canonists say, the Popes Power is *Plenissima*; *Bellarmino* says, *Summa*: They say, 'tis over *Temporals* as well as *Spirituals*; he says, 'tis *Spiritual*, or over *Spirituals*, and over *Temporals* too. They say, 'tis by *divine Right*, and to this you may be sure he will not quarrel with them; 'tis true, he forgot to express it here, but he says it often enough elsewhere. They say no more, and he says all this: Where is, or where can be the difference? Or shall we once in our lives find an example of things different, which differ in nothing? He puts indeed Direct and Immediate Power, as that which he would deny: But if he have rightly express'd them, they mean by their Direct and Immediate, if any where they use those terms no more then *Plenissima*, and he understood they meant no more: And if his *Summa*, do not say as much as their *Plenissima*, take in Direct and Immediate and all, I am much mistaken; neither can I think, but *Summa* will abundantly satisfy them, or if it do not, they are very unsatiable men. At least this is very clear, that all the difference he can pretend, must lye in this word, *Indirectly*: And this he tells us at last, imports respect to a secondary object. As if the Canonists ever deni'd *Spirituals* to be the primary object of the Popes Power, or cared a jot which was primary, and which secondary, so he had full power over both.

Because I do not love to see Friends fall out, I will answer for the Canonists for once, and engage they shall not quarrel with him for putting in a word more then they, as long as that word signifies but what they think as well as he. They are men who will hearken to reason, and not fall irreconcilably out with a man for expressing their mind in his own words. They have no quarrel to *Secondarily*, and will make none for calling this *Secondarily* by the name of *Indirectly*. Allow them but their *Plenissima*, and they shall keep the peace, I warrant them. Here is then no difference but only of a word, which they that use, and they that use not, both think the same. Sure *Bellarmino* was in a pleasant humor, when he would go about to persuade the world, that full Power in the Pope, is a great error, and contrary to Christian Doctrine, if you call this



this full Power *Direct* : But if you call it *Indirect*, then all's well, and Christian Doctrine safe. And all this while *Direct* full Power is no more then most full Power, and *Indirect* no less. My Masters ! We had need have a care of our words. He that has the knack on't, may say unoffensively, and make good Doctrine of that, which, if it be less luckily worded, may chance destroy the Law of Christ, and undo the world. What difference betwixt this, and *Montano's Power prochain* ? And which of the two is the more serious trifter ? And yet to see what a conceited world we live in ! There are who make no difficulty to disclaim the Canonists freely, and call their opinion extravagant and naught, and what you will : But propose the very same opinion to them, with no other difference in the world then this insignificant sound, *Indirectly* ; and as if there were charm in those four syllables, they become presently shy and mysterious, and will rather hazard to be ill thought of themselves, then say what they think. I know a certain Gentleman, who writ to me not long since of this very matter, who, I think, was charm'd for company ; but I name no body. Charms usually last but to a certain time, and when the term is past, the man perhaps may recover.

But now I think on't better, 'tis good not to be too positive. These *Reductives*, and *Secondaries*, and *Consequentials*, are crabbed words, and I am a meer bungler at School-gibberish. I fear, it may be with that, as the Poet said pleasantly, of another sort of canting : People must be mad before they can understand it. Subtle men say, there is a difference betwixt five, and two and three : And some such difference, for ought I can answer, there may be here. The Pope may be said in one opinion to look straight forward, and in the other a squint upon Temporals, which is a difference, such as it is, but which hinders not, but the squint-ey'd man may hit as surely and as strongly as the other. Now because I am not concern'd in the airy speculations of your *Ens-rationis-men*, nor mean to be, I will not much stand with them for a Cobweb-difference or two, which may pass with such as are mad enough to understand it. But I look for a difference, which we dull men of the world may be able to conceive : A substantial and useful difference, by which it may appear, that whereas one opinion is naught and dangerous, the other is innocent and safe. I would see

how



how your indirect men are better Subjects than the other, and faster to their Prince and their Duty : how they are less guilty of wrong, to the Sovereignty and Independance of Princes : in short, how they are not as bad as those who are direct Knaves. These are the things, in which alone the world is concern'd : if the two opinions agree in these, let them differ in inconsiderable niceties, as much as they will ; they are the same in danger, the same in inconsistency with Civil Government, and that, if you remember, was the thing with which we began, and where, for ought I see, we still stick. Till I see such a difference, I must needs think all you have said, no better than pure illusion, and all you can say, till you say, where this difference is, will be but to talk learnedly from the purpose.

For my part, I must profess, I can find none : But because I would be glad to learn of any body, I will entreat *Bellarmin*e to tell me, what difference he finds, and what provision he makes, with his learned distinctions, for the Security of Princes, and Fidelity of Subjects. The first, which comes in my way, is in the state of the Question, *That the Pope directly and immediately, hath not any temporal Power, but only spiritual ; but indirectly at least, in vertue of this spiritual Power, hath highest or sovereign Power over Temporals.* And because Directly's and Indirectly's should break no squares, he leaves them out against

*Barclay*, when he had a mind to speak properly :  
*Cap. 12. When we speak properly, says he, we say, the Pope has Power in, or over Temporals, but not Temporal Power, as Pope.*

Now to acknowledge my ignorance, I must confess, I am quite gravel'd at very first, and cannot for my life, imagine, what kind of thing this only Spiritual, and not Temporal Power, should be, which yet is highest or sovereign, even in Temporals. Without doubt, vve men of the vvorl'd are vvonderful ignorant things, and if vve but offer to understand any thing, these Scholars say, 'tis odds vve mar all. Who of our low form, but vvould have thought, that Pover over Temporals had been Temporal Pover ? If I mistake not, I have heard from some body, that had some acquaintance vvith these Scholars, that Powers are specifi'd by their Acts, which is indeed too high for me : It may be to purpose, and it may not. But I had verily thought, that who could do temporal things, had  
temporal

temporal power, and vvhho could do Spiritual things, Spiritual! I was out it seems, and perceive now that properly speaking 'tis otherwise. For all that, I cannot but think there is such a thing as Temporal Power in the vvorlde, and if Power in Temporals be not It, there remains nothing that I know, which can be It, but Power in Spirituals; and for the same reason Power in Temporals must be Spiritual Power; and so Kings, because they have to do vvith Temporals, have in truth Spiritual Power; only vve speak improperly in the vvorlde, and call it Temporal. But this does not fadge neither. For then the Pope should be said to have Temporal power, for this proper reason, because he has power in Spirituals.

Now I remember me there is a certain Pope *Inno. 3. C. per* vvhho says, Kings have no Superior in Temporals. *Pen. Qui filii* This *Barclay* objected to *Bellarmin*, and he answers: *synegm.* that by Superiour in Temporals, is meant a Temporal Superior. Now I consider not how vvell this answers *Barclay*. For let the Superiour be a temporal, or a spiritual Superiour, so he be Superiour in Temporals, The King has a Superiour in Temporals. But this is not to my purpose. I only observe that *Bellarmin* vvvas of the mind, vvhen he vvrote this, that Superiour in Temporals was all one vvith Temporal Superiour. And then I see no reason in the vvorlde, vvhy power in Temporals should not also be all one vvith Temporal power. Certainly, since Power makes the Superiour, there is as much sympathy betwixt the Superiour and the Power as this comes too:

But in the name of vvonder, vvhat does Power in Temporals signifie, and vvhat Temporal Power? *Bellarmin* means the Pope may by his power in Temporals dispose of the temporal thing call'd a Kingdom. The Canonists mean some such thing by their Temporal Power. By this account both signifie power to dispose of Temporals, and methinks 'tis no such mortal quarrel vvwhether a dog must be said to be beaten vvith a stick or a staff. Or, are they perhaps mere sounds, to vvwhich belongs no sence, but vvhat they give them as they find convenient for their purpose; and so vvhen vve are askt vvhat Temporal, or what in Temporals signifies, we must answer vvith *Montalto*, What you please Father? Never believe me if I can make more of this in Temporals, then an Inchant'd Castle vvwhich houses and entertains the Knight as long as he has use of it, and as soon as he is gone vanishes into a pure Temporal Inn. Which way soever I turn me, I am quire at a loss, so that I think 'tis best to give it over, and let *Bellarmin*

alone vvith his *power over Temporals*, and *no Temporal Power*; and speak to you in a language vvhich both of us understand.

Do you in earnest believe there is any such difference betwixt these two, that the one makes a good; the other a bad Subject? And that a King is safe enough as long as his Subjects speak properly. Marry, if their language once become less exact, then let him look to himself. Good School-masters are the only Guards if this be true. I am afraid to meddle vvith *Bellarmin* again; for vvwhether I say I, or no, 'tis odds, but I shall be out Hill. But yet I guess he meant his Power in Temporals is truly Power, if it be true Power, sure there is true obedience due to it. And if all Christians are bound to obey him in Temporals, Kings can have no Subjects but Infidels, unless to be even with the Pope, they fall to commanding in Spirituals. For if they can command in nothing, I do not see how they are Kings. But this is but shifting sides, and leaves us still vvhere vve vvere. Let *Bellarmin* say vvhat he vvill; He vvho has power to command is to be obey'd; if the Pope can command in Temporals, I must obey him in Temporals: And he vvhom I must obey in Temporals, is my King and no body else. So that the Pope is universal Monarch vvithout more ado, and there is no King in the World besides himself. For 'tis not the proper name of Power, but Power vvhich does the business. Call it how you vvill, properly or improperly, if there be a Power in the vvorld vvhich Kings themselves must acknowledge, and submit their Crowns, and leave their Kingdoms vvhen this Power requires them, They are not Kings, I mean, Sovereigns of vvhom vve only speak. And they vvere mightily out vvho said Princes vvere *solo Deo minores*, that they vvere accountable only to him, and had none else above them, and twenty other such untrue things. For *Bellarmin* has found one that is above them, and I fear above God too: at least he can take away vvhat God gave, vvhich is to make a little too bold vvith him.

But I am out again, as I fore-saw I should be. All this, says *Bellarmin*, follows from the vvicked direct Temporal Power of the Canonists, not from my innocent Indirect power over Temporals. I told you there vvvas no meddling vvith Schollers. While vve keep vvithin our own verge, vve may happily light upon a little indirect sence, vvhich may serve turn, and do vvell enough among our selves: but if vve go beyond our bounds, and tread the forbidden paths of Schollership, it turns presently direct nonsense. I verily thought this had follow'd! But it seems it does not.

*Bellarmin*

*Bellarmin* has stop't the Carrier with a Distinction, which for fear of mistakes you shall have in his own words. *If*, saies he, there were in the Pope Spiritual and Temporal *Adm.* *Barc.* power directly, and he were King of the World, as he is 55. Bishop of the universal Church, and other Kings did but meerly execute temporal Jurisdiction; truly the Pope might at his pleasure deprive whatsoever Kings of the administration and execution of temporal Jurisdiction, and by this means take away Civil government, or confound it with the Ecclesiastical; and would be greater then Christ, because he could take away Powers which he willed should be, and be distinct. These now to my apprehension are naughty things, and the opinion, out of which they follow, a naughty opinion. And I must needs commend *Bellarmin* for chusing another, out of vvhich it may not follow, that Popes at their pleasure may deprive any King of the execution of temporal Jurisdiction, and take away Civil government, and be greater than Christ. This, you see, is vvhath he saies follows from the other opinion, and vvhath he makes us expect does not follow from his. Let us hearken then to what he saies of it, and understand it if we can. But, goes he on, if we put in the Pope only Spiritual power Directly, and Temporal Indirectly, that is only in order to Spirituals, it does not follow that the Pope can take away, or confound Civil government. Once in my life I was in the right. This is what I thought was not to follow. What is that which does then? Why, It follows only, saies he, that the Pope by his Spiritual and Apostolic most eminent Power can direct and correct the Civil Power, and if it be needful, to the Spiritual end take it away from one Prince, and give it to another.

Pray assist me a little, for I am in again as deep, as just now with in Temporals not Temporal. Was not this taking away Civil power the thing vvhich he said did not follow from his opinion, and does he not now say it does? Or have I rendred him amiss? Let me see: his own words are; *non sequitur posse tollere sed solum sequitur posse adimere.* O! 'tis tollere which does not follow, and only adimere vvhich follows. And here's a plain difference, for one vword has four syllables, and the other but three. The mischief is, those who understand not Latin will not presently find it, and I hardly know how to help them. For whether it be that Latin be the more proper language for distinctions, or that he be better at Latin, then I at English, I am puzzled to render it. And yet I have consulted my Dictionary, but there is but one English word, to take away, for both. But methinks it sounds scurvily to say, it does not follow he can take away, but it does sol-



low *he can take away*. That looks like saying and unsaying, giving and taking, vvhich is Childrens play. To make some difference then, we must say, It does not follow he can *take away*, but it follows he can *away-take*: which, though it be to force the language a little, yet 'tis better to make bold vvith that, then spoil the sence, and make no distinction at all. Princes then were in a sad case if the wicked doctrine of the *Casuists* were true, that their Kingdoms may *be taken away*, but as long as they may only be *away-taken*, all's vvell enough.

But yet this is not well neither. *Bellarmin* loves to speak properly, and this *away-take* perhaps would not please him, as indeed it has but an odd sound. To be then both just to him, and not injurious to our language, we vvill put it thus: It does not follow he can take away. Civil power vvith a vvord of three syllables, it only follows he can take it away with a vvord of four. This is true English, and a true difference. For one kills *en Tierce*, and the other *en Quart*, which though they may happen from the same hand, and the same sword, are yet distinct killings. And so thanks to *Bellarmin*, we have master'd a deep point of learning, and understand the Canonists opinion is a very wicked opinion, because it exposes a Prince to the villanous thrust *en Tierce*, but *Bellarmin's* very innocent, vvhich laies him open only to the fair *en Quart*. Now you may judge with your infallible judgment as you please, but I must needs think that to take away, with a vvord of 4, or if you will 40 syllables, is to take away, and to hit *en Quart* is to hit, and if any judge these things may be practic'd upon our sacred Sovereign; I must farther think, and plainly tell you he deserves to be confuted by Judge and Executioner too.

But stay! May not *Bellarmin* say perhaps, that to take away Civil Power from one Prince, and give it to another, is not absolutely to take away Civil Power, but only to translate it; since the Power remains, only put into other hands. Truly he may say this for ought I know, and twenty other things, of which I shall never dream. But I think he could not mean it in this place. For here he intends to speak contrary to the *Canonists*: and as mad as they are, I believe there is none among them so senseless to say or think, that Civil power can absolutely be taken away out of the vvorld, by the most direct and unlimited Power that is or can be. They know vvell enough there must be Civil Power as long as there is Civil Government, and there must be Civil government as long as there be Cities and Men. So that Civil Power can no more, nor sooner be taken out of the vvorld then Mankind. For  
should



should the Pope take all Power into his own hands, and appoint Lieutenants here and there, where he could not be in person, these Lieutenants must of necessity have and exercise Civil Power, even though they were Churchmen; As the Pope himself actually does. For when in his own Territories he punishes Malefactors for civil Crimes, he does not do this in vertue of his Spiritual power, but as a Temporal Prince, as one that has Civil power as well as Ecclesiastical. Wherefore I conceive *Bellarmin* cannot say he meant his taking away Power, of taking it absolutely out of the world, taking from one and giving to another being not to take away Power it self, but to translate it; because there is no way by which Civil Power can be taken away, but only by translating; nevertheless, if he did, as this is not the first time he has said what he had no great reason to say, I must tell him, that this translating is every jot as unsatisfactory to us, because 'tis every jot as unsafe to our Sovereign, as plain taking away. For if it be taken away from him, whoever has it next, 'tis taken away from him. And whoever holds this may be done, let *Bellarmin* speak never so subtly, I must hold it no good Subject.

There is another distinction or two, or explication, or what you will call them which stick in my stomach: To understand them the better, it will be convenient to mention the occasion he had to make them. *Barclay* in his 12th. Chapter objected against his opinion, that it makes Christian Princes Vassals to the Pope, and hold their Kingdoms only at pleasure, or precariously. And this he proves by this Argument: *The Pope if it be necessary for the good of Souls may take away a Kingdom from one Prince, and give it to another; but to judge and decree whether it be necessary or no, belongs to the Pope, and none must judge whether his Sentence be right or wrong; Therefore he may at pleasure Dethrone the one and Crown the other.* *Bellarmin* Answers, that Christian Princes must by no means be call'd the Popes Vassals, and much less be said to hold their Kingdoms at pleasure, But are true Kings, and true Princes. This goes well; but yet if his opinion make them Vassals, I hope they may without offence to it be call'd so. But however Princes are to thank him for this confession that they are true Kings and Princes, and may hope so much may, for his sake, pass for true doctrine: Which if it once do, there is so much true fidelity due to those true Kings, that what takes it but indirectly away, will be found directly false.

Coming then to speak to *Barclay's* Argument, he says 'tis faulty every where, major and minor and all. Still there is no meddling with Schollers. These two premises of *Barclay* are two Proposi-

tions

tions which he has borrowed from *Bellarmin* himself, and were very good Propositions, as long as he had the handling of them; but as soon as ever another but breaths on them, they fade and wither to non-sence; and yet I perceive no alteration in them, but that before they came out of *Bellarmin's* mouth, and now out of *Barclays*. However he tells us, This Proposition, *The Pope may, if it be necessary for the good of Souls, take away a Kingdom from one, and give it to another;* needs explication: for it may be well, and ill understood; it may be true, and it may be false. I make no question but it may be, and is false: but I would fain see the Explication by which it may be true. This it is: *The Pope indeed may, if it be necessary for the good of Souls, take the Kingdom from one; but, if he admonish him before, if he give him time to repent, if he find him pernicious and incorrigible.* May he so? Why then your opinion, for all your *Buts*, and *Is's*, is pernicious, and you incorrigible, good *Bellarmin*. What's this to say, but that he cannot steal his Kingdom in the dark, but may rob him of it in broad day-light? This Admonition and Space of Repentance is in other words: The Pope must first say to the King; look you, I deal fairly above-board, and give you notice before-hand, that if you do not do as I would have you within such a time, it may be a month or two, it may be so many hours (for this space of *Bellarmin's* is for ought I see, at the Popes appointing too) I will turn you a grazing, and provide my good people another King.

I see no such matter of substance in these formalities, but that they might be well enough spar'd, if conveniently they could. But they are a sort of impudent things, which will thrust in whether the Pope will or no. For Kingdoms are no such inconsiderable trifles; that they can be pass'd away in private, and none know when or how. Except King *Phy's* and King *U's*, none ever yet step into another mans Throne without warning, and I believe, none ever will. Does *Bellarmin* think it can happen in the world, that there should be a King so tame, that without more knowledge of the matter, as soon as a sentence of Deposition is brought, should quietly submit, and turn private man, and enquire no farther. Kings are more inquisitive then so, and stand more upon their terms, and look to be better satisf'd. And though they did not, Subjects who have sworn Fealty, have a little curiosity in them, and will be asking why, and by what necessity they must change Lords, and obey *Peter*, who have sworn to *Paul*. There goes time to all this, for nothing will come of it till all parties be agreed. Now *Bellarmin* requires no more to make his sentence just, nor  
so

so much, as nature will force upon him, let it be never so unjust. Of necessity there must intervene more time in the change of Kings, then he requires to his admonition and space of repentance. So that his Explication amounts in short to this: The sentence were unjust, if it requir'd things should pass in such a manner, in which 'tis impossible they should pass; but very just, if things be so done, as they must be done, in spite of sentence, or whatever else to the contrary; which is certainly a very trim Explication, and alters the Proposition wonderfully for the better. We cannot put so much as a Tenant out, without warning, and he would perswade us, we are much beholding to his Explication, for requiring as much Ceremony in the change of a Kingdom, as a Farm.

And yet when all is done, I cannot tell whether he be in earnest or no, and think these Formalities so indispensably necessary, that a King cannot be depos'd without them. It is hard to say, what Plenitude of Power may do, and I doubt, he would not be well look't on, who should go about to fix its bounds. But besides that, a Case may happen, where a King cannot repent, though he would, or at least, make amends by repentance: A Case may happen, where he will not repent, nor believe he hath reason so to do. *Bellarmino* would perswade us, *Ozias* in the Old Law was depos'd for Leprosie. What! did the High Priest admonish him to repent of his Leprosie, and not proceed to Deposition, till after convenient patience with him, he found him incorrigible in his Leprosie? *Ozias* might, and 'tis likely did repent the fault for which he was struck with Leprosie, but unless his repentance could make him clean again, as to the matter of Deposition, he had as good ne'r repented at all; for he vvas, according to *Bellarmino*, depos'd, for what no repentance could cure. Again, in the Nevv Law, he would make us believe, *Chilperick* vvas depos'd for insufficiency. Did the Pope admonish him to repent the grievous fault of having so little wit, and allow him time to provide himself of better brains, and better organs, and vvhhen he found him incorrigible, and all perswasion lost upon him, and that, say the Pope what he could, he vwould not do what he could not do, then at last after fruitless and long deluded patience cast him off? Wherefore though *Bellarmino* do require such Formalities as cannot conveniently be spared, yet possibly he may not think their necessity so absolute, as that the Deposition should be void if they concur not. But let him think what he pleases, vvhile vvvith all his insignificant Burs, he preserves this substance, that a King may be depos'd,

deposed, if instead of three, he require three hundred Ceremonies, the opinion is still inconsistent with Civil Government. And for our Case in particular, our Sovereign does not think fit to repent what *Bellarmino* calls Heresie and a deposing fault, for this reason, because he does not think it a fault, and is for that reason very like to be incorrigible in it too; and vvhoever thinks he may therefore be deposed, is himself pernicious, and not to be endured in his Dominions.

And so much for the taking avvay *But*. For the giving *But*, he tels us, *The Pope may also give the Kingdom to another, yet not at pleasure, to whom he thinks fit, for so indeed Kings were but precarious Kings. But He is ty'd to the order of Justice, whether Succession or Election take place, or if there be none can claim, then to him whom reason prefers.* I fear the truth of this may be questioned. Sure I am that vvhen *Q. Elizabeth* vvvas deposed, and her Kingdom given to the *Spaniard*, there vvvere better Titles afoot in the vvorld, then *K. Philips*. Thanks be to God, the Throne of *England* has not been vacant, and the Popes reason never troubled to fill it. When Kingdoms are expos'd to prey, 'tis catch that catch can. I see no great order of Justice in that. But suppose it vvwere true, vvhat signifies this order of Justice? and vvhat bar to the Popes pleasure in Succession or Election? If the next Heir, or next Elect be a man, vvho pleases not the Pope, I suppose he must be pass'd by, and so as many as offer, till they come at last to some body who is *rectum in Curia*. For the first might stand as vvell as any of these, vvho, I conceive, are all in the number of those vvho cannot claim; and then vvhat does Succession or Election hinder, but the Pope still gives at pleasure, since none shall succeed or be elected, but vvhom he pleases? Again, vvhat difference betvvixt giving a Kingdom to vvhom the Pope pleases, and to vvhom Reason, meaning the Popes Reason, prefers? Preference of Reason is nothing in the vvorld, but that the Pope pleases to think it fitter this man should be prefer'd, then the other. So that *Election* and *Succession* and *Reason*, are nothing in truth but the *Popes Pleasure*, and all that *Bellarmino* affords us, is a meer sound of vvords vvwhich signifie nothing, and if they did, vvwere nothing to purpose neither. For vve are all this vvwhile beside the Cushion.

It makes nothing, I think, to the justification of a Robbery, that the prey vvvas equally shared; and vvhen a King is dethroned, he is as much dethroned, if he be succeeded by the next heir as by a stranger, neither do I believe, he is much concern'd vvho comes next upon the Stage, vvhen his ovvn part is ended. Our Question



at present is, whether Kings in *Bellarmin's* doctrine be only precarious Kings. By the way Precarious is not very current *English*; I think we should call it holding at will, or pleasure, or if you will coyn a new word, Tenure by Intreaty. But however let us keep our Authors word. *Barclay* objects that *Bellarmin* makes Kings precarious, because he allows the Pope to take away and give Kingdoms, and this whenever he has a mind, as being sole judge in the case. *Bellarmin* answers, that Kings were indeed Precarious, if their Kingdoms could be dispos'd of at pleasure, but because the Pope is ty'd to the order of Justice, in that point, they are not precarious. As if *Barclay* insisted on that, or thought their being Precarious depended on that disposition. The Son in defence of his Father laughs at that notion of Precarious, and rightly observes that Precarious is not said with relation to him that gives, but him that takes away. 'Tis the power of revocation, if that word fit him vvho never gave, plac'd in the Pope, the power of deposing when the Pope thinks fit, which makes a King precarious, let the Kingdom be dispos'd how 'twill afterwards, the King is still precarious, purely Tenant at vvill.

But pray tell me truly. Do you in earnest find any thing in these healing *Buts* of *Bellarmin*, which makes his opinion a jot sounder then the *Canonists*; a jot safer for Princes, or more dutiful for Subjects? For my part I profess seriously I find nothing, unless non-sence will do the feat. There is a little more non-sence in this opinion then the other, and if that be a security for Princes, it would do vvell if the vvorld ran mad as fast as it could. While men are in their wits, they vvill go near to think never a Barrel better Herring.

Just such work he makes vvith *Barclay's* next Proposition, which was this: *To judge, when 'tis necessary for the good of Souls, that a King be depos'd, belongs only to the Pope, and none is to question his Judgment.* This he saies is like the former, and if it be ill understood, is false, but rightly understood is true, but then concludes not what *Barclay* would have it. Now am I terribly afraid that ill understood is as much in *Bellarmin's* language, as truly understood, or so as it truly signifies, and rightly understood means understood otherwise then as it signifies. For else I cannot for my heart see but if the Pope may depose when there is necessity, and judge when this necessity happens, and none must call his judgment in question, and these words mean as they sound, Kings are purely Tenants at will, and the Pope may depose them whenever he pleases to judge it necessary, which is what *Barclay* would conclude. What is the good meaning in which vve must rightly understand it? Why, *It does indeed belong to the Pope, saies he, to judge whether it be necessary a King should be depriv'd of his Kingdom.* Very well! So *Barclay* understood it, and so *Bellarmin* himself understands it. Why



does it not conclude then, that Princes may be depos'd at pleasure ? Because of another *But*. But, saies he, it does not belong to the Pope to feign necessities at pleasure, or serve his passions under pretence of necessity.

*Bellarmin* is as unlucky at his *Buts*, as Distinctions. Whoever said it belong'd to the Pope to feign necessities ? and yet it may be said as truly as that Deposing belongs to him. If *Bellarmin* could give good security the Pope should never do more then belong'd to him; there might be something in it: but if that were so, we should not have heard so much of this Deposing power, for that does not belong to him neither. But belong, or not belong, he may feign a necessity by passion, or he may judge that necessary which is not so by mistake; and if he does so, 'tis all one as if he did not feign, and not mistake, when neither Prince, nor any body else, is allow'd to judge whether he feign or no. Unless the Pope be supposed infallible in sincerity too, and that he will alwaies declare, This man I depose upon a true, and that upon a feigned necessity. But if we must take all he saies is necessary, to be truly necessary, Kings may be depos'd at pleasure, for he may say so when he pleases. Marry if other people must see this necessity as well as himself; all good subjects will tell him there neither is nor can be any necessity why a King should be depos'd. I, but, saies *Bellarmin*, because this is a matter of great importance, and the necessity must be manifest and seen, therefore Popes ordinarily do these things in Synods of Bishops, or Consistories of Cardinals, shewing his reasons and taking their consents. Yes sure, 'tis a matter of great importance, too great to be thus trifled with. Manifest quotha ! I beseech you to whom must this necessity be manifest ? If to any besides himself; why 'tis manifest to all good Subjects, that there neither is, nor ever was, nor ever shall or can be any such necessity, and 'tis manifest they are not good Subjects who think otherwise. But if He alone be Judge of the manifest as well as the necessary, his command without more ado is evidence enough that 'tis manifest to Him, it ought be commanded. And I hope he can as easily and as soon say *'Tis manifest*, as *'Tis necessary*.

Then for his Synods and Consistories, I wonder what they are for. Does he consult with them, too, whether that be to be done of which there is a necessity, and this necessity seen and manifest ? He may consult the *How*, but the *Whether* is a wise point of consultation, if it be already manifest. Or is it perhaps to be made manifest by the consultation ? If so, the case is not so clear as *Bellarmin* pretends, and other persons, more concern'd then his Synods and Consistories, have reason to expect it should be made manifest to them too, as well as the other. Besides, He who makes what Bishops and Cardinals he pleases, and of such as he makes consults with whom he pleases; has wit enough sure to chuse such, of whom he may be certain before-hand

hand, they will oppose nothing which he shall propose. Indeed if by his Synods he meant General Councils, there might be more difficulty. The Bishops of The Prince concern'd, and of those Princes who were leagu'd with him, would go neer to speak in his behalf. Else Synod in his language imports no more then a company of Bishops, perhaps not so much, chosen according to the Popes pleasure. And yet even thus much is more then he thinks necessary too. He saies the Pope ordinarily does thus, but if he will do otherwise, He may for any thing *Bellarmin* saies to the contrary. And the truth is 'tis not to be expected but he will, To depose a King is not every daies work. 'Tis an extraordinary case, and in extraordinary cases there may be extraordinary proceedings. However the Pope is still Judge of this, as of all the rest, and so when all is done we are purely at the Popes pleasure for all.

There is a brace more of Volunteers, which though they be resolute enough, and venture on any thing, let it be never so desperate, and let them have never so little to do with it, yet *Bellarmin* spares them as much as he can, and keeps them in reserve for dead-lifts, and then, which often happens, they never fail him. One is *De Facto*, and *De Jure*. This is a distinction good enough in it self, but as he uses it only at a pinch, and when he has nothing else to say, it looks still like a piece of good stuff hung in a place which it will not fit. For example, *Gregory the Great* writing of a certain Law, which for his own part he dislik't, and thought unjust, but yet publisht, as he was commanded by the Emperour; speaks thus: *I being subject to your command, have caused the Law to be sent into several parts, and because the Law agrees not with God Omnipotent, I have by my Letter informed my Serene Lords. Wherefore I have in both done what I ought, obey'd the Emperour, and not conceal'd what I thought for God.* Now I should think that to publish an unjust Law, and where the Injustice concern'd the service of God and liberty of the Church, as was here the case, without the excuse which bears out a Subject, who is not to examine but obey the commands of his Superiour, is to do an unjust thing, and for which now adaies Force would hardly pass for an excuse. If any encroachment be thought made upon the Church in our times, the language is presently, *I will die first, I will suffer Martyrdom, before the Cause of God, and Ecclesiastical immunity shall suffer by my means.* I take this Pope to have been a man of as much zeal as those who use this language, and acknowledged to be so, and since he submitted to a bare command, he either thought that command had power to oblige him, or he acted against his Conscience without obligation. Wherefore plainly he thought himself *De Jure* subject, or *De Facto* he did very ill.

For all that, *I*, says *Bellarmin*, say this obedience was forc't, *de Facto*,

*not de Jure.* Why then I think you may say any thing. Pray consider again good *Bellarmin.* Does not he say, he did but what he ought? *Utrouque, quod debui excoli.* Does not what I ought, signifie, what is my duty? and does *Duty* signifie *Force* with you? Sure as can be a Cardinal may do what he pleases. If he will have words signifie otherwise then they do, there is no contesting. Otherwise, if the Pope were subject *de Facto* only, *not de Jure*, the Emperour had no Right to command him, and if the Emperour had no Right to command, the Pope had no obligation to obey, and then he ought have done quite the contrary (for *Force* is no excuse for injustice) and what I ought signifies what I ought not, which we dull men should never have suspected. Allow us but the same liberty though, and it shall be shamefully hard for which we will not make a shift to say some thing. That Chalk is blew, for example, which we will say is white only *de Facto*, but blew *de Jure*. That the Fire burns *de Facto*, but only warms *de Jure*. That *Bellarmin* is a great Scholler *de Facto*, but *de Jure* none at all. I know I speak impertinently, but I meant to do so, and yet think I speak as pertinently as he who saies *Duty* is only *duty de Facto*, but *de Jure* not *duty*. He might ee'n as well have made use of his *Indirect* here too, and said the Pope was subject only *Indirectly*, but was not subject *Directly*, or contrariwise, for 'tis all one. Young Sophisters sometimes when they are put to it, and know not how to shift off an Argument, find something or other which sounds like a distinction, no matter what it signifies, and whether any thing or nothing, so it serve turn for the present, And I doubt he remembered the trick a little too long.

But Subjection to Princes being prov'd by Examples, and Commands, This is the Reserve for Examples, when they are ill-natur'd, and will not be turn'd off otherwise. For Commands there is another common place, which now 'tis known is nothing, but he was a very subtle man sure that first discovered it. It consists in distinguishing the same man into a Prince, and a not-Prince, and then interpreting all obedience we find commanded, belongs to the Prince only, the not-Prince has no share in it. This distinction, because it is indeed a little hard, they attribute to the Omnipotent power of the Pope, and say that the Prince, till he be deposed, is a Prince, but afterwards no Prince; and because it still falls short, for the man governs and lives like a Prince still, they etch it out with its fellow distinction, and say he is no Prince *de Jure*, though he be *de Facto*. And now bring 'em as many and as plain places for obedience as you will, 'tis the easiest thing in the world to get clear of them. Bring Scripture, bring Fathers that a Prince is to be obey'd. True, say they, while he is a Prince, but now he is no longer a Prince.

Princes in my opinion have hard luck to stand in the Popes way, and become the first sad examples of his Omnipotence: otherwise there is no Law of God or Man which may not be overturn'd as easily by the same engine. For he may as soon and as well declare, That Wife to be no Wife, That Man to be no Man, and make Adultery and Murther lawful, as that King to be no King, and make Rebellion innocent. There would not want as likely pretences for the one as the other, if people would but look after them. For Example, A Man is a rational Creature, who acts unreasonably disclaims his nature, and may be dispatch'd without contradicting the Divine Law, which forbids men to be kill'd while they are men, but he by the Popes declaration is no man. As much may be found out for the Wife, as much for Estates, as much for every thing. For there neither is nor can be any stronger title to any thing then the Law of God, and that the King has to his Kingdom, and if that will not do, nothing will. This is just *Montalto*. Sin but enough and you trapan the Devil, and become vertuous even by being wicked. To refuse obedience to a King is with them a crime, and a crime which deserves damnation; marry to Un-king him, and deny there is any obedience due to him, is an innocent thing. As if taking his Power quite away, were not a greater disobedience then to resist it. A particular disobedience may have a particular, and sometimes excusable cause; but a general disobedience, such as leaves them no longer any Power to command, is of all disobedience the greatest, most inexcusable in it self, and most contrary to the Divine Law. And yet he would perswade us, we sin, if we obey not a particular, perhaps trifling Command, but if we take away Power and all, we are very honest men. Whereas in truth, when I disobey a Power which I acknowledge, perhaps I wrong my self most, for I do not my duty; but when I no longer acknowledge my Princes Power, I do him as well as my self the greatest wrong I can; and yet this greatest wrong with *Bellarmino* is no wrong.

These are the healing Distinctions which *Bellarmino* applies to his Doctrine, and by which the sound Deposing is to be distinguished from the unsound Deposing. If you find any such sovereign vertue in them, I shall be glad to learn it. But for our part, we think Deposing an incurable disease, a poyson for which there is no Antidote. Disguise it how you will, while it remains Deposing, 'tis alike intolerable, & alike inconsistent w<sup>th</sup> the safety of Princes, and duty of Subjects. Call the Power indirect, call it in Temporals, not temporal, as long as 'tis Power, and can do the fear, no honest ear can hear it. Tell us of admonition, and space of repentance; tell us of Synods and Consistories; of disposing the prey according to Justice; of not feigning necessities; tell us what you will, while you tell us Deposing is good Doctrine, we cannot



cannot believe you good Subjects. Bring a thousand Schoolmen, and ten thousand subtilties, against them all we will stand by our honest Parliament Doctrine, *That the Crown of England is and always has been free, and subject immediately to God, and none other*; and who refuses his Fellowship in that Doctrine, I know not, with what face he can pretend to a Fellowship in any thing else.

But the truth is, I do not see that *Bellarmino* with all his art does so much as guild the bitter Pill, or make it a jot less nauseous. For what is the very worst the Canonists say? Take their opinion in his own expressions, and he says all they say, and in terms as positive, and as comprehensive. Take *Carerius*, or whoever is the highest flyer among those I sent you at first, and the worst is but this: *That the Pope has jurisdiction over all things both spiritual and temporal throughout the world; that he may absolve Subjects from the Oath of Allegiance; Depose Kings; and transfer their Dominions from one line to another.* And which of this worst does *Bellarmino* with his proper Distinctions, and cautious Buts, deny? 'Tis true, they call his Power *Direct*, and *Bellarmino* *Indirect*, but what matter is it how they are called, if one can do as much as the other? And I would fain know, what they can do with their *Direct*, which he cannot with his *Indirect*. 'Tis true, they make but one absolute Monarch of the world, and all the rest but arbitrary Lieutenants; and *Bellarmino* calls them true Kings, but makes them as much subject as if they were but Lieutenants. Were Kings perswaded once it were their duty to resign at the Popes command, they would themselves make no difficulty to call and think him their supreme Lord. 'Tis only in consideration of the scurvy consequence which would follow, *viz.* that being supreme and absolute Lord, he might dispose of his own as he thought fit, that they refuse to give him that Title. Now *Bellarmino* sticks to the consequence, which is all the mischief, and makes the Pope do all that a supreme Monarch could do, and thinks all is well if he do not call him so, whenas if he could do what *Bellarmino* would have him, he truly were supreme Monarch, and *Bellarmino* might make no bones to call him by his proper name.

The truth is, 'twould anger any King at heart, to be put out of his Kingdom, and not so much as know why, nay, while on the contrary he is fully perswaded he cannot be dispossessed, even by those who dispossess him. If a Canonist come and tell him, Sir, you must descend, the Pope your supreme Lord has so commanded: If he believe the Canonist, he understands how a superior Power is to be obey'd, and submits as a Lieutenant, when his Commission is recalled. But if *Bellarmino* come and tell him, you are now a private man, the Pope has so declared: Without doubt, he will reply, what if he have? Have not you your self told me that I am a true King, no Vassal of the Popes, but  
supream



supream in Temporals? Have not you told me, the Popes Power is only spiritual: and do you tell me now, I must give up my temporal Crown, to the command of a spiritual Authority? All this is true, quoth *Bellarmino*, but yet you must obey. What! must I obey one who cannot command in such thing? Yes, he can. 'Tis something hard for you to understand who are no Scholar; you can understand what 'tis to obey, and that is enough for you; the rest belongs to us of the Trade. In my conscience, this would sooner put a man out of his wits, then out of his Kingdom, and who kept his wits, I believe, would go near to keep his Kingdom too.

In fine, the sum total of the Canonists account is but this: That the Pope by reason of his absolute supream Authority in all things, is not to be questioned, but obey'd in whatever he commands. And if *Bellarmino* go less in substance, whatever he do in words, I am mistaken. Nay, how much short is he, even in words, when he tells *Barclay*, C. 17. *That if the spiritual Prince happen to abuse his Power, by excommunicating a temporal Prince unjustly, or absolving his Subjects from their obedience without just cause, and so disturb the temporal Commonwealth: This were sin in the spiritual Prince, but yet that temporal Prince could not assume to himself the judgement of spiritual things, or judge the spiritual Prince, and much less depose him from his spiritual Seat.* This is worded in opposition to *Barclay*, who by the same Argument which *Bellarmino* brings for the Deposition of Princes, proves that they may as well depose Popes. But if this do not signifie, that right or wrong the Pope is always to be obey'd, I understand it not. For Deposition, according to him, is a spiritual thing, an act of spiritual Power; to judge of this, a Prince must not assume to himself, no not in case of Injustice. And if he must not question, what remains but to obey it, and this in all Cases, just or unjust? Let the boldest Canonist that is out-go this if he can.

Upon the whole, I see no other difference betwixt the two opinions, but that one is abominable false, and the other abominable false, and abominable full of non-sense besides. They with one bold-untruth subject all Princes to the Pope, and for the rest discourse at least consequently. Were their Principle true, all would follow which they say. He makes Princes as much subject as they, and when he has done, calls them true soveraign Princes, and discourses, so that no part hangs together. Every one falls together by the ears with his fellow, and makes such mad work, that a body can understand nothing of it, but that 'tis false. Consider a little what he teaches in his *Rom. Pont.* against these Canonists: *That Christ or the Christian Law, deprives none of the Right and Dominion he had before; that otherwise Christianity would be injurious, and a wrong instead of a benefit, and therefore Christian Kings and Emperors acknowledge no Superior in Temporals, but are true and supream Princes*

*Princes in their own Kingdoms.* Again, *That Christ our Lord has distinguish'd the Acts, Offices, and Dignities of Popes and Emperors, that one should not presume to meddle with the Rights of the other,* and a great deal more to this purpose. But that strange things happen in the world now and then, one would not suspect that these things and Deposition should both be taught by one man, and that man a friend of the Popes. Sure if I were Pope, I should not think my self much oblig'd by him, who gives me a Power to do injuries.

But with what Distinction-sodder shall we ever cement these things? Does a King lose nothing, when he loses his Kingdom? Is nothing taken away, when all is gone? Is he depriv'd of no Right, who is depriv'd of the Right to reign? Is it no injury to be turn'd out of a Throne, to be forc't to change Purple for Rags, and languish out a despis'd life in helpless Beggary? Do Christian Princes acknowledge no Superior in Temporals; if they acknowledge one, at whose command they must quit their Temporals? By the way, we are at our Superior in Temporals again, with the meaning of which, for my late bad success, I dare not meddle. It signifies you know, ee'n what you please. But let it signify what it will, I am sure no Distinction can hinder, but who has Power to command in Temporals, is Superior in Temporals. And he would make us believe at the same time, both that Christian Princes know none such, and yet do know a certain Person who can command away their Temporals from them. To make both these true at once, is, me thinks, a pretty confident undertaking.

Then again, what means this, that the two Powers are distinct, and one not to meddle with the Rights of the other? I am sure, he does not mean, that the same Person cannot have and exercise both, because then the Bishop of *Rome* could not be a temporal Prince. Now I understand how in that case the Powers are distinct in themselves, notwithstanding they are united in one Person, because that one Person commands temporal things in vertue of one power, and Spiritual in vertue of another, which certainly he may do who has both. But when there is but one Power extended to both kind of actions, The powers certainly are then confounded, if they can be confounded at all. For what can confounding, or mixing in this case signify, but making one of two, which one shall have the vertue of both? So liquors, so every thing that I know in the world, are blended or confounded together. Wherefore 'tis *Bellarmin*, not the *Canonists*, who truly confounds these Powers. They make them two, but say the Pope has both. *Bellarmin* saies, he has but one, and that the Spiritual only, but would have this one Spiritual Power command both in Spirituals and Temporals. Which is of two, to make one third Power, neither wholly Spiritual, because it extends to Temporals, nor wholly Temporal,

poral, because it acts in Spirituals, but equivalent to both. And if this be not to confound the two Powers, and make one of these two which he saies Christ would have divided, I would be glad to learn what is, and what other way they can be confounded. And yet the jest is even while he does this, he presses the confusion of the Powers as a great inconvenience upon the *Canonists*, who are not altogether so faulty as himself, and can extricate their Doctrine a great deal better. In two words, either he confounds the Powers, and then he disobeyes Christ, who, he saies, would have them kept asunder; or he does not, and then he disobeyes him in permitting one to meddle with the rights of the other. For certainly 'tis the right of the Temporal power to command the Subjects to that power, and require their allegiance and service: And to take away these Subjects and this Allegiance, is to meddle and that very far too, with what belongs to the right of another.

The Truth is, these Tricks turn a question of as great importance as any in the world, into pure words and illusion. The world is in suspense about the decision of this great Question, concerning the independent Sovereignty of the two Powers, and how that command in the Gospel, *Reddere quæ sunt Cesaris Cesari, & quæ sunt Dei Deo*, should be obey'd. All the learning of ten Ages teach the powers were distinguish'd by Christ, one given to the Bishop, the other to the Prince. The *Canonists*, and they but some, and all late men, teach they were given both to the Pope. This third indirect Party coming to settle a point of this importance, profess at first, that the Powers truly are, as Christ commanded they should be, distinct, and the Pope for his share has the Spiritual only. Would not any man think now the business decided, and that we had no more to do but obey our Prince in Temporals, and Bishop, or, if you will Pope (for I will not meddle with that question) in Spirituals, and there's an end?

Why this 'tis to be illiterate, says *Bellarmin*, and not understand distinction. The Popes power is only Spiritual, but yet this Spiritual power indirectly, and for the good of Souls, virtually, and by means of some other proprieties of speech, extends likewise to Temporals, and may dispose of Kingdoms as it sees fit. Why then call it Temporal in the name of God, if it can dispose of Temporals, and say the Pope is Universal Monarch if he be so, and stand to it. Yes we do stand to it; replies *Bellarmin*, but we love to speak properly, and do not call the Pope Universal Monarch, though he can dispose of all the Kingdoms of the World, because he does it not in vertue of a Temporal power, but by a spiritual working, and after an indirect manner. Hang the manner how he does it, if he can do it. What has the World to do with these mannerly tricks? A King is well hold up, who after he is dispossest, comes to understand

that this came about after another fashion, and in another manner then he was aware of.

Well ! but are you for the *Canonists*, or against them ? why truly *I am for them, and I am not for them*. And our Question, What must be said to that ? Must we obey our King or the Pope ? This is what the world looks after. Why, according to one half of the resolution, which says Princes are supream in Temporals, and have in them no Superiour, *we must obey our King* : according to the other half, which saies a power vvhich is only Spiritual can dispose of Temporals too, *we must obey the Pope*. But how must I do with this *Licet* and *non Licet* ? must I cut my self in two, and lift a Leg and an Arm under one, a Thumb and a Shoulder under the other, and if I happen to meet in the battle fight my King-self against my Pope-self.

Because this is something difficult, and they are men of reason, I imagine they would condescend a little in this point, and let me remain entire. As long as the answer is divided 'tis well enough. But then I must chuse the right half. That's it I would be at. Pray tell me then, must whole I take the Spiritual, or the Temporal half. Why, the truth is *you must take the Spiritual half. Parasits and Flatterers may tell you otherwise. But this is the truth of the story*. Why then to what purpose all this illusion of my Princes Sovereignty, and Independency, when after all he is neither Sovereign nor Independent ? To what purpose this bustle against the *Canonists*, only to say the same thing at last, but with more ado. Could you not have plainly told me at first what I must trust to, and spared the trapan of so many useles disguises ? The result of all your Spirituals, and Indirects, and good of Souls, and whatever else, is in short, I must obey the Pope against my Prince ; only I must in spite of all sence believe my Prince is a true and Sovereign King, and has no Superiour in Temporals, and the Pope no power but Spiritual, and so besides a Traytor and a Rebel, become senseless, and a block into the bargain.

Here's your fine opinion, of which you make such a Mystery, and are so shy to discover your thoughts. Come ; come ; leave dodging, and deal above-board. Answer me these things, and shew me that *Bel-larmin* speaks sence, and sence not injurious to Government, and the safety of Princes ; or disclaim him plainly as you have the *Canonists*. 'Tis at your choice to do what you will ; but do one, and that effectually ; or take notice I tell you I will believe for the future your Church is a wicked Church, absolutely inconsistent with Civil Government, and has not one sound member in her, no not one. Put me not off with formalities, and think to scape with telling me, this doctrine belongs not to your Church as a Church, and that only the Material men hold it. 'Tis the material men I only care for at present.



We converse not with your *formal Church*, vve hear and see, and deal with *Material men*. These are they can do us good or harm, and 'tis but reason we should know vvhhat to expect from them. *Formalities* are ayry things, no rope can catch them: but *Material men* you know maye be suspended, and vvhhen they are found guilty, and have no hopes of reprieve but in the innocence of their *formalities*, I doubt it goes hard vvith them.

In two vvords, *clear your selves from an imputation*, which you have brought upon your selves, or *confess you cannot be cleer'd*; and remember that *silence is a confession*, and so I shall take it, as all Justice in the world does, and believe it vvvas not the wickedness of the *Canonists* opinion which made you disclaim it, but because that wickedness came clad in sence, and people could understand it. But the same wickedness disguis'd in non-sence is a Darling. So that your *Pique* was not to the wicked, but the sence: make it but non-sensical enough, and let it be never so wicked you are for it. I bar *Sophistry* too, and unintelligible Subtleties. Let your Schollers keep their *riddle me riddle me* to themselves. I shall understand the *Talmud* as soon, as what you call *Terms of Art*, meaning, I suppose, the Art of keeping things from being understood; The Art of talking so that no body shall know whether you say *I*, or *No*. But I understand what 'tis to *Command and Obey*.

And to bring the whole to a short plain Issue, I ask, *If it should happen the Pope should command you to disobey your King, and the King command you to disobey the Pope, by whom will you stand?* And I expect an Answer as plain as my Question. I declare too, because I will not turn our dispute into a controversie of Religion, nor meddle with the Popes *Spiritual power*, that I mean only of *Temporal commands*, of such commands wherein you have no reason, nor doubt, but you ought obey the King, but only because the Pope commands the contrary. Give me a direct Answer to this, for I tell you I bar *Indirects*, and the business is done. If you will obey your King, you are an honest man, and have disclaim'd *Bellarmin* as well as the *Canonists*: If the Pope, you must make out, if you can, *how he is a good Subject who refuses to obey his Prince*. The business being now in a very narrow compass, and perceptible by every body, there I leave it, with this Advert. sement, *that upon your Answer depend the thoughts I shall have of your Church*, or, if you will, *men of your Church*. According as you Answer *I*, or *No*, I shall believe you consistent, or not consistent with Government. There I began, and there I end. I hope you will give me no occasion to chang my thoughts of you; for truly 'twould grieve me if I could not, with as much satisfaction to my Judgment as Inclination, own the title of,

Your, &c.



## FRIEND,

**M**E thinks you deal roughly for a *Friend*. If I were as brisk as you, here would be brave doings. What a bustle do you keep with me, with *Bellarmino*, and the *Church*? and all, because I desir'd to keep my thoughts to my self. Truly I thought *silence* no such hainous crime. I have known many repent of speaking, but few of holding their tongues. But for my self you may deal as you pleasestwenty to one but I may at some time or other find occasion to cry quittance with you, and then I expect you should allow me the liberty you take. But *Bellarmino*! what harm has he done you, to incur your indignation so highly? Is he the only man who maintains the Indirect Power? And if he were, can you not disprove him fairly, and let your bitterness alone? The *Church* too! Pray, what is she concern'd whether I do as you would have me or no? Can no Member of her Communion displease you, but she presently must be brought in? She is this, and she is that, if I do not what I have no mind, and for all your earnestness, I fear no reason to do. But you have got an eye of me, and you follow it. You know I value the *Church* above my self, and that I will never agree she should be ill thought of, if I can help it. Indeed I was in hope to have cut the Thread, and answered so, as might please you, and displease no body else; But since 'twill not be, and that there is no way to clear her from those blemishes, which your capricious Jealousie has cast upon her, but by forcing my own inclinations, I think my self oblig'd rather to expose my self to other mens censures, then leave her expos'd to yours. If any man dislike my resolution, I entreat him for one moment to make my case his own, and consider what he would do, so loudly and so smartly challenged, and what duty requires he should do, when on the one side the Churches reputation is at stake, on the other the quiet, it may be credit of particulars. If he doubt which side to take, I must needs think, he has less respect for his mother then becomes a good child. For my part, I am perswaded otherwise.

Well! But you will not be satisfi'd unless I speak plainly. Would I knew whether you will be satisfi'd if I do. For I tell you truly, I begin to be as jealous of your earnestness, as you of my reservedness. If reason would have satisfi'd you, I think you might have been satisfi'd before this time. However I will venture to make one experiment more, and try what I can do with you by and by. If you be in earnest, and that plain dealing will do it, I shall prevail at last. For I will tell you, and that very plainly, more then you ask. You shall know not only what I think, but why I have been thus backward to tell you what I think. I will frankly discover all my policy, which makes you so merry, peradventure to be as much laugh't at for my simplicity: but however, you shall have no cause of jealousie of what I harbour in my breast,

breast, when you know all I harbour there. But do not think I mean to be so merry as you are. I am in no such pleasant humour, and think the matter a little too serious. If you had spared some of your mirth, I believe't would have been ne'r a whit the worse. The meat might have been altogether as good, if the sauce had been less tart. But to our business.

You are still harping upon the *Church*. A worm of Jealousie is crept in, and will not out. You are still suspicious, *she forbids people from dealing freely in these matters*. I told you there was no such thing, and I tell you so again, at least that I know, and I tell you besides, *That had there been such a thing, and I known it, I would have dealt as sincerely with you, as Fisher with King James, told you so at first, and never medled so much as I have done.* But if you will know the true cause of my reservedness, know that you your self have a great share in it. You are all on fire, because I say not presently what pleases you. I suppose you do not imagine but there are men of tempers as hot as you, whom that will displease, which pleases you. Besides the Question is of a particular nature. It has been canvast heretofore with much animosity. The fire is not yet dead. It flames not indeed at present, because the fuel of occasion is taken away, but the heat lyes rak't up in mens hearts, and would easily break out again. I would not for all the world be he, who should blow this heat into a new flame. But for that, I conceive, my breath too faint, and inconsiderable. However, as I love not to meddle with hot men at all, so I would gladly be guilty of so much policy, as not to provoke hot men upon a hot subject. Whether I say, I or No, one hot side will be apt to take offence. Wherefore I thought it the best way to hold my tongue. Now your fantastical curiosity is not satisfi'd with this, but is as hot upon my silence, as others may be upon my speaking: And would perswade me, you play the *Friend* all the while. I hope you will send me the next time to stir a nest of Wasps, and make me believe it a point of Friendship.

However, I assure you, the *Church* has nothing to do with my silence, neither do I, or ever did apprehend any thing from her. The *Church* has other employment, then to look so low as I am, and besides, God forbid, that Innocence should not be safety enough for any of her Communion. All that I apprehend is the heat of private men, of those with whom I am like to meet and converse, and from whom I may chance hear twenty cross Questions. I would vex me to have a man come to me, and say: *You Sir! Pray how long have you taught Divinity, or in what Univerſity taken degrees, who presume to handle so freely, men in reverence for their learning with all Divines, and all Univerſities? The world is at a fine pass, when a little pert confidence shall set up every pidler in learning, against those who have spent their lives in nothing else.* Again, You pass for a *Catholick*, and acknowledge, at least in words, *That the Pope is supream Pastor.*

*Pastor.* 'Tis done like a dutiful Child to go about to lessen your Father. The next time you write I hope you will leave him no power at all. I fore-see the next piece will be of *Antichrist*, and then there is hopes you may in time proceed to the *three Impostors*. 'Tis an *Heretical spirit* this, and beware of it. I may be in a froward humor when I hear this, and it may be return a froward answer; and then we fall out, and he tells every body he meets, *I am in a dangerous condition, tottering upon the very brink of perdition, and 'tis great luck if I scape the precipice.* Every body who hears this said, and that confidently, and gravely, will not hear what I can say for my self; or if they did, they are but few with whom the solemn outside will not carry it against a better reason than I shall be able to produce. And then I pass for *dangerous, or-busie, or foolish* as they please to frame my character. My Friends begin to look askew at me, and all the sweetness of conversation, and innocent pleasure of hearty Friendship is lost. This would be wonderful uneasy to me, and if it should happen, as 'tis like enough, I should, whatever you do, think it a great inconvenience. In fine every man has his humor, and mine is not to make an enemy of so much as a *Cobler*, if I could keep him my Friend.

This is the reason why I so readily disclaim'd the *Canonists*, because *I meet with none who are like to give me any trouble about them.* And this is the reason why I was more reserv'd in the other opinion, because *I may meet with this trouble.* I hope you will not think this a reflexion upon my communion, as if they were more troublesome to their Neighbours than other folks. *Men are men of all communions, and hot men are hot men, and such are impatient that any persuasion they have wedded should be contradicted.* This is all the disquiet I foresaw and apprehended, and the great Policy with which you keep so much ado. And if it be Policy to think my thought quietly to my self, as I elsewhere told you, and not fall out with every man who thinks otherwise, nor give any man occasion to fall out with me; to think I have no commission to Reform every thing I dislike, but that there may and will be errors in the world, let me do what I can: I avow to you, I would have been a *Politician*, if you would have let me, and am very sorry you did not.

But now we are upon *Politics*, let me tell you one thing by the way. You are a meer Mortal at Politics as well as your Neighbours. What work do you make with the business of 88, and how sily do you make it pass for an effect only of *Herésie*? If you do in earnest believe so, I can tell who's the *Sir Pol.* But sure you understand things better, then not to know, *Pretence* is one thing, and *Cause* another. 'Tis true *Herésie* was pretended, and it may be was a partial cause too, of as much as the *Pope* did. But do you think the *King of Spain* was at all that charge purely upon the account of *Zeal*? Sure you do not think him so great a Saint. Or if you do, all the world knows 'twas *Interest of State*, not *Religion*, which

rais'd

rais'd that Army, and set out that *Armada*. The *Queen* stood in the way of his great thoughts, and so crost his designs upon other mens dominions, that she made him unable to recover his own. This obstacle to his ambition he had a mind to remove; and *Religion* was no bad pretence among his own Subjects, vvho vv ere and still are exceeding Zealous; but he so little valued it himself, that he would not so much as own it. And this a better *Politician* then you or I, *Grotius* in his History of the *Low Countries* has observed: *Some*, saies he, *would have had the war proclaimed by a Herald, but others thought the right of claim from the Popes sentence would make out but a lame Title.* And these it seems were the wiser, and carried it. See now what conceit the *Spaniards* themselves had of your *Politick Cause*, and no better had we in *England*. For though *Mendoza* had vainly boasted of I know not what affection of some principal men here towards the *Spaniards*, in all likelihood to ingratiate his own diligence, yet whatever his thoughts were, saies *Grotius* again, it appeared true afterwards that however English Catholics might differ in Religion, there was, none of them so imprudent as to trust their Lives and Fortunes to the undistinguishing sword of a *Forreign Conquerour*. And yet they were at that time as much affected to the *Pope* as any people in the world, and thought as highly of his power. And for all that they did not think he had power to dispossess their *Sovereign*, and distinguish rightly betwixt Pretence of Religion, and Reason of Interest. I can assure you we are of the same mind still, and know an *Invader*, let him be never so much a Catholic, is an *Invader*, and, let him pretend vvhat he vvill, means to enslave those he *Invades*, and alwaies will. He that comes vvith a *Cross* in his mouth, and a *Sword* in his hand, vve know vvhat he vvould be at, and shall never be so senceless to be diverted by vvhat he saies, from considering vvhat he vvould do. I tell you once for all, we would fight as freely against the *Pope* as the *Turk*, if he come like a *Turk* in Arms; and you may easily believe me: for all Nations do it vvithout difficulty when there is occasion; *French*, *Spaniards*, *Italians* themselves have all had their turns. Ma'try if he come like a *Pope*, to direct our feet in the ways of that peace, which *Christ* bequeath'd as a legacy to his Church, I for my part vvill fall down at his feet, and kifs them too, laugh you as much as you vvill. In the mean time I vvould advise you, as you do me, to let Politics alone, and not go about to perswade the vvorld, Herefie was the cause of a'l the danger of 88, vvhen if there had been no such thing, there had not been one Ship, or one Souldier the less. Had *Queen Elizabeth* been *Inquisition-proof* as much as *King Philip*, he vvould have done just as he did: For 'twas the enemy of *Spain*, and friend to *Holland*, not the enemy to the *Pope*, vvith vvhom he had the quarrel. Had the *Pope* himself been in her place, the *Pope* had been invaded as she vv as. And this I say not altogether by guess, for both he and his Father actually did invade



*invade the Pope, and his Father take him prisoner too. But so much for your Politics, and my reservedness, of which I have now given you the very reason, and told you the Truth, the whole Truth, and nothing but the Truth.*

As for *Bellarmin*, I wish you had spared some of your *smartness*. He was a great man, and if you would undertake to answer all that he has writ; peradventure you would go neer to find him so. Nay do but write on any, chuse what you think the easiest, Subject, as much as he has done of intricate matters, and if you do not somewhere or other give occasion of as much sport as you have made with him, I shall much marvel. A great piece of Mastery it is, out of so many Volumes, where 'tis impossible the Author should alwaies be equally attentive; to pick out a few lines, and turn them to *Burlesque*. If I had a mind to take his part against you, perhaps I could make it appear, *He is not altogether such an Ass as you would make him, even in this question.* For example, *You quarrel with him because, as you say, he forgets to explain what he means by Indirect where he first uses the word.* As if those against whom he then writ, did not understand it well enough, and need no explication. His notion pleases not you, and you say it is not the Notion of the world. Suppose it be not. He writ to that part of the World which understood it in his Notion. If they understand one another, what is 's to you and me what words they use? Again, you say, *He makes no use of that word in the whole course of his Arguments. What is it to purpose whether he did or no? It may be he had no occasion.* But if you consider his Arguments, you will find they proceed all upon what he understands by *Indirect Power*, and that they are all along opposite to the *Canonists*, who maintain in the Pope a power properly *Temporal*, whereas he places in him only a *Spiritual Power*; and then endeavours by those Arguments to prove, that *supream Spiritual Power*, may in vertue of its being so, extend also in some cases to *Temporals*: which is in his language to be *Indirect*, and was so understood by those against whom he intended his Arguments. So that he is so far from forgetting, as you imagine, his *Indirect*, that he makes use of it and nothing else. More I could say in his behalf if I had a mind. But I mean not to engage for him. He has friends a great deal more learned than I, who can speak for him, when they think convenient. As you have ordered the matter I have enough to do to quit my self. However I mean now to endeavour it, and quit my self so, if I can, that I may hear no more of you. For I am very weary of being baited thus long at one stake, and will come no more there, if I can help it.

I tell you then I will stand by your *Parliament-Doctrine*, as much as you or any of his Majesties Subjects, and take it unkindly at your hands you should surmise I would do otherwise. That Parliament was a *Catholic Parliament*, if you remember, and might have put you in mind,



mind, that *Catholicks* may be both good *Catholicks* and good *Englishmen*. 'Tis true, there may be *Traytors* of them, and those *Traytors* may disguise their *Treason* with the pretence of *Religion*, as who would not get as handsome a vizard as he could for so ugly a face? But 'tis plain, that their *Religion* has no inconsistency with their duty to their *King* and *Country*, when we see their *Religion* was no hindrance to them, for providing for the liberties of their *Country*, against the encroachments of pretended *Religion*. On the contrary, I conceive it more shameful, and more wicked for us, who persevere in the same Faith, to degenerate from the same Loyalty, then for men of other persuasions. But to go on: I disavow and detest the wicked and pernicious Doctrine, which teaches the deposition of *Kings*, whom I acknowledge to hold independently of *God*, and will be ready on all occasions to lay down my life in confirmation of this Truth; and when you please, will give under my hand, that 'tis new false, erroneous, contrary to the Word of *God*, and several ways mischievous besides, and will never maintain any opinion to the contrary. I know not how you will relish this way of speaking, but I can assure you, 'tis a way in which wiser men then I, have walk't before me. But to give a direct Answer to the Question to which you have reduc't the whole, and which by the way, I am very glad you have confin'd to *Temporals*, ( for I do not mean to be perswaded out of my Religion by your earnestness ) I answer thus: That I will at all times, and in all occasions, stand by my *King*, against whatsoever Power, and under whatsoever pretences. And because you are particularly jealous of the *Pope*, I declare, I will stand by my *Sovereign*, and believe it my duty so to do, against the *Pope*, as firmly as against any other, as being fully perswaded, he has no Power Direct or Indirect, Virtual or Formal, or by whatever names it has or may be call'd, to depose or dispossess him of all or any part of his Dominions, or authorise his Subjects not to perform faithful obedience to him. And I absolutely disclaim all Doctrine to the contrary, by whomsoever maintained, and under whatsoever disguises. And if you distrust my word, I will pawn you my hopes of salvation, and swear all this in as ample manner as you can devise, provided, you keep within the bounds you have set, and inrench not upon *Spirituals*. For you desire I should deal plainly with you, and I must tell you plainly, I mean, by the Grace of *God*, to be as good a *Catholick*, as a *Subject*, and hope, I do you no harm by meaning to save my soul. Now if you be not satisfi'd, it is no fault of mine, and I must believe, say what I will or can, you are resolv'd not to be satisfi'd. Which if it be so, I am sorry with all my heart you have put me to so much fruitless trouble, for truly I could have spent my time something better then in washing the *Brick*.

But now I am in the humour of telling you all I know, let me tell you farther, I am not alone of this persuasion. Whenever you make it as seasonable for other people to speak their thoughts freely, as you have made it necessary for me, I do not think you will find many *Catholicks*,

who will leave you much ground of jealousy. At least I am sure of this, *That there is no Catholick, who may not remain as good a Catholick as the Pope himself, in the blunt phrase, and say as much as I do.* Those who will not, if there be any such, are not hindered by any, either *Doftrine*, or *Command* of the Church, but by *Principles*, which whether by the credit of the maintainers, or whatever flash their eyes are dazled, they mistake for more effectual then they are. Notwithstanding if you meet with any such, I freely consent, you make as much sport with them as you will, and bar you no part of the pleasure, I doubt, you take even in your jealousy, and which, I fear, you would be loth to part with. But, to my knowledge, there are who would gladly give you satisfaction in this Point, if you would receive it.

Pray permit me a little liberty too, and let me ask you a Question or two in my turn. You know, as well as I, *there are of us, who hold in this matter what displeases you, and there are who do not.* You who talk so much of honesty and uprightness, pray where is the honesty and the uprightness to treat us both alike, and give the honestest man that is, the portion of a Knaves? Do you think it a just thing, that one man should bear the burden of another mans faults, or that those Nations do well, who when any one offends, punish all his relations? You keep us all under the same discouragements, and yet know we do not all deserve it. You allow us no means to clear our innocence, such as you know are clear, and should we find a means our selves, our case is still the same as if we were guilty. Honest or not honest, all is one with you. If you say, *You know not which are which, why do you not know it?* You may when you please. But since you do know that some, whoever they be, are innocent, those innocent men should rather bear out the guilty, then the guilty condemn the innocent. I think men of tender conscience would choose to let twenty guilty men scape, before they would let one innocent man suffer. At least in other cases, the Law does not condemn any man, because he is not known to be innocent, but frees him without more ado, unless upon sufficient proof he be in particular found guilty. With us 'tis otherwise; because some are perhaps but thought guilty, (for till it come to trial, that's all can be said) it takes hold of innocent and all. Nay, we are not admitted so much as to a trial, nor allow'd to plead Not-guilty, with any plea which shall be any way beneficial, and free him, who is found so, from any thing to which he is liable who is cast. In fine, You pretend, and endlessly pretend dissatisfaction, yet no satisfaction will be receiv'd from those who could, and gladly would give it. Whatever men be, to look upon them still as guilty, and keep them so, in spite of all they can do, to make out their innocence, and not suffer them to pass for other: In two words, *To make men liable to punishment whether they will or no, and then punish them, is in my opinion something hard dealing.* I am perswaded, you are sensible enough that This might be prest. But I forbear, and only wish you to clear things as

well as I have done. You are so nice at receiving satisfaction, that I should be very sorry, you had this to object against me. I fear, I should have much ado to make your squeamishness believe otherwise, *but we were in love with severity, and resolved not to part with any pretence of it.*

As for me I think I have done my part, and so clear'd all vvho are perswaded as I am, *that if you continue your jealousie against us, 'tis very plain, you are jealous for some other reason then demerit in us.* And because you shall perceive I am in earnest, and speak, not only in force of your importunity, but according to the perswasion of my best little Judgement, I vvill go a little farther, and tell you vvhy I am thus perswaded. For I vvould not have you think, your *Arguments* alone have done the feat, and that being formerly either unsettled, or vvrong fixt, they have converted me: And yet I must frankly acknowledge, *I cannot answer them in the main, though if I had a mind to keep up the wrangling Ball, I could perhaps here and there pick out enough to give you sufficient trouble.* But I have always been of this Judgement, and you might perceive so much by the Relation I made of the *Arguments*, in vvhich I did not play the *Historian* so impartially, as not to discover sufficiently vvith vvhich part I sided. So much sharpness as I mingled vvith the Narrative, could not proceed from one who thought well of the *Arguments*. By the vvay, I now vvish there had been less. For since you must know all, that heat was indeed but counterfeited, a disguise I put on, in hopes to excuse my self from plainly discovering my own face. Othervvise more modesty to learned men then my self, had been more suitable both to manners and my humour, and 'twas vvith regret I shew'd no more respect to them. But I thought there vv as no great harm to speak a little freely of Books, vv hose Authors are by death exempt from all sense of wrong, and if they vv ere alive, perhaps would not take much offence at any thing I should say. But I perceive I must give over Policy. 'Tis a Trade in vv hich I am not skil'd; and thrives accordingly.

To acquaint you plainly then with what I harbour in my brest, I must profess that as far, as I can judge, *This Deposing doctrine*, in whatever garments of distinctions clad, as much as 'tis pin'd upon our Religion, is more inconsistent vvith our principles, then those of any other perswasion: so inconsistent, that were it once establish'd for Catholic doctrine, instead of being an advantage to the Church, as they who favour it suppose, it vv ould be the ruin of it. One of our Principles is respect to the *Ancient Fathers*, vv hich he that vv ould take away, vv ould do the Church very bad service. Every body knows vv hat reverence we profess to those great lights, and vv hat veneration we pay to their learning and vv irtues: What shall we say? that they vv ere ignorant of a doctrine, vv hich is pretended vv as taught by Christ, they vv ho understood vv hat Christ taught so vv ell, and defended it so vv ealously. Can it be imagined our new Schoolmen know more then these great men, vv ho in de-

since of Christianity, against opposers as subtle as any that have since appear'd, discover'd a learning, which for ought I perceive After ages have more reason to admire, than think they can equal. But if they knew as much as they do now, it can be less suspected from their Vertue, that they would conceal their knowledge, and suppress a truth of this importance. I cannot readily fancy any thing more incredible, not to say a harsher word, than that a point of no less concern than the performance of our duty to God, and his Vicegerents, Kings, should lye dormant in breasts inspired with so much zeal, and enlightened with so much knowledge, for Ten whole ages; and at last break out, and surprize the world with a new-light. Nor do I see how it can be thought possible, without imputing either Ignorance or Dishonesty to those, who of all men in the world are farthest from the suspicion of either. I should be sorry to be, or see the Catholic, who should in good earnest think either imputable. And yet if they knew this doctrine and did not conceal it, we must of necessity have heard of it long before we did. Gregory the 7th is the first unquestionable Author of it: For though a little more Antiquity be sometimes pretended, yet those pretences are in truth but weak, and little better then meer conjecture. All that I can imagin possible to be said in the case, is, that they had no occasion to declare their knowledge; but being busied with other controversies said not all they knew in this. But I fear this cannot be maintained. For they do often treat of both Powers, explain their natures, and settle their bounds. They tell us the one consists in constraint, the other in freedom; That one has to do with Sacrifice, and Sacraments, and Divine things; the other with Human: That one inflicts Corporal, the other Spiritual punishment, and the like. Was there no occasion all this while to have given one touch of this Direct and Indirect Power? one little hint at the distinction, if they had known it? Let them think so that please. For my part I conclude they knew it not; those who think otherwise may conclude if they please, that they would not teach what they knew, but conceal'd a point of Christian duty, and which they knew to be so: and so by seeking to justify they knew more than we can possibly tell they did, since they express it not themselves, call in question their vertue which we all know.

But yet bare silence is not the case. They teach the direct contrary. They teach there are none who can punish Kings but only God; that we for our parts are to obey even unjust and wicked Princes, and this because God has so commanded, whose secret, but yet just Providence, places over us, as well Nero's as Constantins. That the Church has no sword but the Spiritual, which to extend to Temporals is *Arrogance*. He that can reconcile these, and twenty other of their express doctrines with the deposing Power, may never stick at any thing, or fear that Impossibility will ever stand in his way. In fine. They allow us no other disobedience then in case of commands contrary to what God has commanded before, and no other resistance, even in this



case, but of prayers, and tears. Put them to have known the efficacy of our distinction, and that it was lawful, while directly we are oblig'd, to pray like *Christians*, indirectly to fight like *Turks*, and they have directly cheated the world, and trapan'd the Church into many a severe Persecution, from which let them say what they will, she had force enough to have freed her self, if she had thought it lawful to use it. Primitive *Christians* themselves had the confidence to tell their *Persecutors* to their faces, *they wanted not strength to revenge themselves, if they had thought the defence of their lives a just excuse for resisting their Prince, or the Sword a lawful instrument to introduce the Gospel.* But they knew Religion was not to be establish'd by fighting, but preaching, and that Conquest is not the way to set up the *Kingdom of Christ*. If their Prince bad them fight against his Enemies, they did so: but if he himself became their Enemy, they chose, as was their duty, to die rather then fight against him.

The truth is, people may say and think as their fancy guides them, but Force is not the way to preserve or introduce true Religion. Falshood may need it, but it weakens Truth. Consider which way the wisdom of God went to work; As rain into a fleece of wool, as drops of dew distilling on the earth. He who had an unresistable power, would not use so much on this occasion as to break even a bruised reed. 'Tis evident by the choice of unerring wisdom that this is the proper way of Truth, and that 'tis a deceitful wisdom, and takes wrong measures, which goes otherwise. And indeed what can be more wild, then to think to force men into Heaven, and make Saints of them whether they will or no? We see what Christ, what his followers did, we know how we were taught by the great and best succeeding Masters of Christianity. I shall never be perswaded, that those who taught in this manner, were acquainted with these indirect subtleties; at least we should have been acquainted with them much sooner if they had. In fine, I cannot but think, there is very little of a *Catholic spirit*, in introducing a Doctrine, not only unknown to the ancient Fathers, but so opposite to their Maxims, that it cannot well be imagined how they should contradict it more plainly then they do, unless we fancy them Prophets too, and that they foresaw all the subtleties which should be brought in the world after they left it. Otherwise we cannot expect they should talk of Direct and Indirect who never thought of either. But they plainly say, *There is no Power in the Church but spiritual, and that this spiritual Power does not extend to Temporals: Again, That Princes have none to call them to account but only God, and that just or unjust they must be obey'd, saving only in unjust commands.* And if any disguise of words can hinder this from being a plain determination of the Thing, I must needs profess, I know not how it can be determined by them.

But forgetfulness, of the Fathers, I fear, is not the worst of the Case. It is pretended in the behalf of the deposing Doctrine, that it relies on  
divine



divine Right, and the hot abettors of it will hardly suffer those to pass for good Catholics, who reject it. The truth is, *they cannot well go less.* For while it is acknowledged, as on all hands it is, *That subjection to Princes is commanded by Gods Law,* that which takes away this subjection must be *Gods Law* too, or nothing. And indeed considering the import of the Question, and the immediate influence it has upon a main Point of duty, it cannot well be doubted, *but the Truth,* on which side soever it be, *does belong to Gods Law.* Certainly the Wisdom of God, who took flesh purposely to instruct the world in all necessary duty, did not leave out so considerable a part. Now that his *Law* teaches, we are to obey temporal Princes, is both plain in it self, and, as I come from saying, plainly confessed by every body. But 'tis evident, *we cannot at the same time obey two Powers commanding contrary things.* Wherefore I cannot see, *but to require obedience in Temporals to the spiritual Power, by the same Law which commands obedience to the Temporal, is to make that Law contradictory, and impossible to be obey'd.* Which as 'tis a Blasphemy intolerable in any Christian, so I fear, 'tis unavoidable in those who put a temporal virtue in the spiritual Power. For that virtue plainly obliges to obedience in Temporals, to which obedience we are obliged by another virtue, that of the temporal Power. And this is to require we should do what Christ himself has assured us is impossible to be done, *serve two Masters.*

The way by which they seek to avoid this, is by saying, *Kingly obedience as inferior, must yield to Papal obedience as superior.* Which I think is, *by striving to weather Scylla, to split upon Charibdis.* We have assurance from those, whom we have more reason to credit, *that Kings are inferior only to God, and have none above them but him alone.* I suppose this is to be understood of the same kind of Superiority. For otherwise 'tis ordinary enough for the same man to be both Superior and Inferior to another, in several respects: as a Father to a Son, who is a Magistrate. But 'tis plain there is no reconciling this Doctrine, with that of a *Papal Superiority in Temporals.* We may as soon obey both when they command contraries, as believe one has no Superior besides God, to whom the Pope is Superior.

And yet there is another thing which sticks more with me. This *Papal Superiority in Temporals* is no where to be found, but in their own fancies. There is no such thing in Scripture or Tradition, Councils or Fathers. To obtrude upon us an invention of their own heads, and this for a part of Gods Law, is to add to the Law of God. Let them either shew that place of Gods Law, which teaches, *Kingly Power is inferior, and Papal superior,* and this in Temporals, or shew how they do not give us for Gods Law, that which is not, and entitle themselves to the maledictions of the Apocalyps. *Feed my sheep,* and, *whatsoever you shall bind is not, Kings are inferior in Temporals,* and their interpretation, which hooks in Temporals,

is not *Scripture*. Besides the Council of *Trent* has forbid the *Scripture* to be Interpreted against the unanimous consent of the *Fathers*; And if any one *Father* can be brought, who interprets those places as they do, or who does not Interpret them quite contrary, if he meddle with them at all, truly there is more to be said for them than I am aware of.

But let us consider a little farther. In a Question which belongs to *Christian duty*, and the law of God, how does, or how should a *Catholic* proceed? I conceive who goesto work like a *Catholic*, should frame his belief according to his *Rule of Belief*. I think that is the use of a *Rule*. To my judgment they go not this way, who are for *Deposing*; as indeed they cannot. For if *Tradition* be, as I conceive it is, the *Catholic Rule*, there is no applying this *Rule* to *Deposition*. Look into all *Bellarmin's Arguments*. Those in his *Rem. Pont.* are all from *Reason*, deducing such inferences from *Scripture*, or acknowledg'd points of *Catholic Doctrine*, as make to his purpose. These deductions, till they be acknowledged rightly made, which hitherto is deny'd, and that upon very good grounds, have no force at all to induce belief, and though they were acknowledg'd, would make at most but a *Theological conclusion*. Those against *Barclay* are all from *Authority*, and this *Authority* is either of a single Pope *Bonifacæ 8.* or a great many single men, or those men met together in Councils. For as for *Scripture*, which he pretends, and which indeed would do the business, if it declared it self, he makes nothing of it. Now there is no number, or quality of men, let them be *Catholics* never so much, which obliges to a belief of what they say, other wise then when they witness, the point in question was received by them from their Ancestours as taught originally by *Christ*, which testimony of theirs hands it over, for such a point, to those who come after. In all other cases they speak their own private judgments, and this whether single, or assembled, and for that reason are not parts of *Tradition*, or the *Catholic Rule*, and make no necessity of *Belief*. And these being all the waies they have to the wood, I do not discern the *Catholic way* among them.

But what is the consequence? There are but two things acknowledg'd by *Catholics*, to which we are oblig'd to submit our Judgments, *Scripture* and *Tradition*, if these be truly two and not one thing with two names. For as for Councils, they belong to *Tradition*, and are when duly qualify'd the most considerable parts of it. In *Scripture* we find *Subjection* and *Obedience*, and this for *Conscience*, possessing our Souls in patience, expecting our reward in the next world, and the like, no word of *Deposition*. Look into *Tradition*, and we find Ten whole Ages perswaded and practising according to the same *Maxims*, persevering in faithful obedience to just commands, and patient refusal of unjust ones, and apprehending they were oblig'd by the law of God so to do. We find all the *Fathers* of all those Ages confirming them in this apprehension, and inculcating the duty of *Obedience* even to *Tyrants* and *Persecutors*. We find *Popes* themselves not only teaching but practising the same *Doctrine*, obeying commands sometimes thought unreasonable and unjust, and submitting with patience to the pleasures of their then acknowledg'd Lords, the *Emperours*. This is, if any thing can be, *temper et Ubique, et ab omnibus*. And this is the known *Rule* of the *Catholic Church*. The opposite Opinion began at such a time in such a place, and by such a Man; and when it began was cry'd out on as a novelty contrary to the ancient *Doctrine*, which in all other cases is a condemnation without more ado. Neither did they well know at first on what bottom to fix. This *Indirect* came in afterwards. As far as can be guess they thought, because the Pope was Superior over all *Christians*, he might therefore come and all *Christians* any thing. Since, the business coming to be debated, they cast about for waies to maintain it, and the *Indirect* way pleases most, though it be not yet well settled, some thinking it as much too little for the Pope, as others too much.

But whatever they think, I fear both the one and the other is ruinous to the *Church*. For neither can pretend to be believed, but for some reason; and this reason, since it cannot be the same for which we believe other points of *Faith*, there being manifestly no such thing as *uninterrupted delivery* in the case, must be something else, which as well as *it* must pretend a virtue of inducing belief. And, *that being a Rule of Faith, which has power to settle Faith*, here is a new Rule of *Faith* brought into the *Church*, and with it all the *Incertainty*, and all the *confusion* blamed in the most extravagant *Self*; and this even by her own *confession*, who thinks her Rule is the only means to avoid that *incertainty* and that *confusion*. This Rule is manifestly discarded by a new one; For she cannot with any face pretend, *all she teaches was delivered to her*, if it be pin'd upon her, *that she teaches what was not delivered*; and if She lose the pretence to *all*, she will keep it to *none*, since it cannot appear; but if she have once deserted her Rule, she has don't oftner; And then farewell *Church*. Once take away the Rule, and the *Church* must of necessity go after. She has no solid ground of *Authority* but the *steadiness* of her *Faith*; no *steadiness* of *Faith*, but the *steadiness* of her Rule; break that once, and there is neither *Authority*, nor *Faith*, nor will within a while be *Church* left.

So that in good earnest, I do not think the malice of all her profest enemies could ever do the *Church* so much harm, as the zeal of her unwary Friends. At least for my part break but the Chain once, and I know no more any certain way to Heaven, than the very best *Enthusiast* among all those *Selfaries* who rove blindly for want of a sure Guide, and should find my self as much at a loss. That any thing must be believ'd, but what was taught by *Christ*, or that any thing can be known to be taught by him, but by the constant belief and practice of intermediate ages, is what a *Catholic* should neither say, nor endure to hear; for it manifestly takes away *Divine* from *Faith*, and all the advantage we profess in our method above others to come to *Faith* leaving us as much benighted, and as much to seek, and as small hopes of success, as we object to those whom we think *stray* most, and are most in the dark. Wherefore, *salvo meliori*, as far as my short prospect reaches, To bring Deposing *Faith* into the *Church*, is a ready way to depose the *Church*.

I cannot tell whether I should more wonder or grieve, but I am sure I do both, to see men so intent upon the maintenance of an Opinion, which they have espoused, that they forget the honour and safety of the *Church*: and to observe a certain supercilious gravity, with which they labour to discourse these things into *Faith* and Religion, should so far impose upon the world, that they do not discover they are quite contrary and destructive to both. But no doubt there are enough who see all that is to be seen, but if they be no more forward than I, to say all they think, they are in my conceit the wiser. By the favour of your earnestness, it is no commendable disposition in private men to turn Reformers on every occasion, and when they see any thing amiss, step presently in, and make a bustle in what concerns them not. Let those who Govern the world, and shall severely answer for those miseries of which They are the cause, look to their duty. Ours is to live quietly, and unoffensively, and trust God's Providence.

Your importunity has carryed me farther than I intended. But you have now your will of me, and know I for my part think the not-deposing doctrine is the truly *Catholic* doctrine. Did I think otherwise, all your importunities, and all considerations in the world besides, should not persuade me to it. I hope you now find I said true, when I told you, my thoughts of this matter were such as became a good Christian, and a good Subject, and afford you no occasion to change yours, if you had any good of

Your, &c.

FINIS.

*The Thirteenth and Fourteenth*  
OF THE  
**Controversial**  
**LETTERS,**  
O R

Grand Controversie,

Concerning

The pretended Temporal Authority  
of *POPES* over the whole Earth,

And the

True Sovereign of *KINGS* within  
their own respective Kingdoms.

Between two English Gentlemen,

*The one of the Church of England :*

*The other of the Church of Rome.*

---

L O N D O N,

Printed for Henry Brome and Benjamin Tooke, at the Gun;  
and at the Ship in St. Pauls Church-yard, 1675.

The Thirteenth and Fourteenth

OF THE

Constitutional

LETTERS

Grand Conventions

The preceding Temporal Authority  
of 1088 over the whole of the

The Sovereign of KING'S within  
their own respective Kingdoms

between the King of England  
The one of the Counts of England  
The other of the Counts of Rome

LONDON

Printed for Henry Broom and Associates, at the Gun  
and addressed in St. Paul's Church-yard, 1775.



## FRIEND,



YOU had sav'd your self and me some trouble, if your last had been your first. I almost despair'd of doing any good upon you, and perceive that *exculpere verum* out of one of your humour, is one of the hardest tasks in the world. But since 'tis come at last, I regret not my own pains, and for yours, it was in your power to have spar'd them. But yet I have not done with you. The Pope is a crafty Gentleman, and has more strings to his Bow than one. Shut the door never so fast, it is hard to keep him out. If St. *Peters* Keys will not open the lock, He has St. *Pauls* sword to cut it off. Not that I apprehend any great danger from downright fighting. 'Tis a Trick he shews as seldom as he can: And he has reason; for Kings overmatch him at that weapon. But Justice has a sword too, and that so sharp that I should be very sorry to see it in his hands. Now that there may be justice without deriving it from *Pasce Oves*, or *Dabo Claves*; and that it may belong to him as well as others, and by the same means; And that he actually has heretofore, and may, when he please, again set on foot pretensions, upon this Title, to part, perhaps all his Majesties Dominions, is something too evident to be deny'd, and of too great importance to be neglected. It is a thing which has long disquieted me with uneasy thoughts; but I must freely avow to you I was never so sensible of the danger, as since I read the *Considerations of present Concernment*. You are so much concerned in that Book, that I must needs suppose you have seen it, and observ'd how much may be replied to what you have said to me. But I am for the present so intent upon what's before, that I cannot reflect on what's past. Hereafter possibly, when I am in a calmer disposition, and my settled spirits at more liberty to compare what he says to you, with what you have said to me,

I may call you to a new account, and see whether you can maintain what you have written. But at present, taking all you have given me in payment for currant money, let us only see how far 'twill go.

That in relation to you, and such as are principled like you, we are safe from all pretensions of *Divine Right*, which the Pope can have upon us, I fairly allow you. Are we therefore safe? Plainly No, if he have right over us any other way. Nay whether he have right or no, so he but pretend it, and you will own his pretence, we are as bad as ever. There is a thing call'd *Human Right* in the world, by which men enjoy their lands, and goods, and whatever they call with truth their own. It has not altogether so glorious a sound as the other, but is not much less efficacious; for the World could not subsist without it. Now although what the Pope claims by *Divine Right*, be enough, as he orders matters, to satisfy a not very unreasonable man, yet his claim by that, is no bar from claiming by any other Title too, by which Right may be had. He may Purchase, as well as another man, or receive a Gift, or Legacy, &c. and what he gets by these, or any other ways, by which the property of things is transfer'd, is as truly his, as they would be of any other man by the same Titles. And who can blame him, for joyning as much Silver as he can to his Gold?

This being so, we have made a fine hand on't with all our wise speculations, and are much beholding to you, for furnishing us with Armour of proof against the sharp point of *Divine Right*, while the *Human* may chance knock out our brains with her clouterly club. If there be no fence for this flayl, we are as much at his mercy as ever. Now *Baronius* has taken care that no man should be ignorant, that He may claim both *England* and *Ireland*; and this independently of *Divine Right*, and in vertue of such Titles as are allow'd to create Right in other men. I must confess, though He speak plain enough, yet I was not so much startled by him, whom I took for a partial man, and who I see intitles him, to the better part of *Christendom* as well as *England*. This seem'd a fancy too wild; to deserve much credit; and I thought while our case was not singular, but common to

so many and so powerful States, and which engaged the strength of Christendom on our side, we were safe enough. I consider'd we were pretty well out of the way, and that he could not come at us, till he had possess'd himself of some little countries which lye between us, and which I believ'd would find him work enough, to let us sleep in quiet, and need no better security then that of *Ulysses*, to be devour'd last. But I perceive, by the *Considerations*, the case is different from what I fancy'd. The Pope I find has something to say to us, which he cannot say to every body, and which, to tell you truth, I am ill at ease to see can be said.

I know you will spare me the labour of transcribing out of a book which I believe you have, at least may have, on every stall. Pray what say you to it? The Author is no *Baronius*, or *Bellarmino*, to be suspected of partiality to the Pope, and though he were, Reason is Reason whoever says it. Blind justice sees neither Friend nor Foe, and values not whether it be on the left or right hand the scale goes down. Truly I do not see we are a jot the better for all your hardly drawn out condescendencies. We are at the *en Tierce* and the *en Quarts* again. While the Pope plays fair Play, we fear him not, but what ward for his foyning tricks? Certainly he is no such fantastical man to insist more on the way then the end. He will be content without all doubt to drive the nail that will go, and, so he can get a Kingdom, be satisfied to take it as it comes, and like it nere the worse for bringing a bare *Human* title along with it. But whatever he would think, we can not agree he may with justice do any thing to our prejudice. Nay a *Human* title would be so much worse than a *Divine*, by how much we must all acknowledge, that *Human Right* is a true *Right*, since we have no other to whatever we possess and hold dear in the world, whereas we are less acquainted with the other.

Tis not but that I believe we may with our Author, rely securely on Prescription. But with such a Gamester, and for such a stage, 'tis good to play sure. Besides there is as much danger from *what is apprehended* as from *what is*. Bare Right alone will do no great feats; it must be acknowledged and abetted to become efficacious: And if that  
which

which truly is not Right, be taken for Right, and will be stood to, and maintained, it will do as much as if it were Right. Now Prescription which our Author says is, our only, but withal a very sufficient, plea, he says also the Pope will not allow. And we know how much influence he has upon those of his Communion, and how prone you are to be of his opinion. If you be of his mind in this particular, and admit no Prescription against him, then whether he have Right or no, you at least are perswaded he has, and will undoubtedly act according to your persuasions when time serves.

*Disputa-  
tio Apolo-  
getica de  
Jure  
Regni  
Hiberniæ  
Authore  
C. M. Hi-  
berno.*

I have a little too much reason to be concerned for this point. There is a certain Friend of yours, at least he is of your Communion, who has the confidence to defend in the face of the world, that, of the conditions required to Prescription, there is not one which holds in the Prescriptions of the Kings of *England* to *Ireland*. When such things are said, 'tis time to look about us. Though *England* were unconcern'd, *Ireland* is too considerable a branch to be torn away from the stock. 'Tis Treason in great abundance to imagine the dispossessing our Sovereign of any part of his Dominions: and here are plenty of men with hard names produc't to prove, it is consonant to the doctrine of Catholick Authors, to dismember a great Kingdom at once, and this without any relation to *Divine Right*, though it be slightly toucht by the by. And for ought I know, you may pick as many holes in our Prescription against the Pope, as this Author does in our prescription to *Ireland*.

Twenty to one but *Scotland* will be hook't in too some way or other; or though it be not, it will go near to fall in of it self, either as part of *England*, or at least *Britain*, or by some other fetch. It would undoubtedly run the fate of its Neighbour Kingdoms, and it is not a pin matter for a Title to that, which must come in at last, and when it comes will bring Title enough with it. Nature and Necessity make perhaps as good Titles as Law, and I know not whether the Law have any better then possession. If the Pope get once possession, as when he has got *England* and *Ireland*, I see not what can keep him from it, 'twil be to no more

more purpose to be solicitous for a Title, then for a man to look after a horse, who is at his journies end. For Titles serve but to obtain, or hold what they pretend to, which he that has already, and so, that it cannot be taken away, no longer needs them. But if the worst come to the worst, why may not the Pope dispense with a Title, as well as other things, altogether as hard, and not altogether so advantageous? Plenitude of power, set once on the tenter-hooks, I believe will stretch as far as that, and what cannot he do, Who can do all which is necessary for the good of the Church, and who is alone to determine what is necessary? Who shall hinder him from calling the Bunch a Horn if he please?

But these are no jesting matters. *England and Ireland* have both been challenged, and that before King John was born, though his resignation be in truth the most specious matter which can be alledged. *Scotland*, to put it out of doubt what would become of it, has been actually claim'd as well as the rest. So that our Sovereign enjoys not one foot of land free from dispute. It is to much purpose to dispute of *Divine Right*, when, if there were no such thing in the world, we have as much to fear from *Haman*. The worst *Divine Right* can do, is to make us dependant, and subject, and this they say we are, without relation to it. And 'tis this we fear, not caring much how the mischief happens, if it cannot be avoided. It imports not much whether I be a slave by the misfortune of War or Birth, if I must tug at the Oar.

I tell you truly, thinking of these things has put me into a very bad humour. I distrust every thing, and am not satisfy'd where learned men than my self are. I would be glad to have some better security than Prescription; for though our Author say, and I think it a sufficient Plea, I doubt, if you were Judges, his Authority would hardly keep us from being cast. Nay I am sure it would not; for he confesses the Pope allows it not, and his Judgment would overrule it at last. Besides though He slip over the business of *Hen. 2. the Vatican Register*, and *Petrus Bleensis* me thinks make too much noyse to be slighted. What we think considerable may perhaps not prove so, when it comes

*Bayon. ad an. 1135. n. 21.*  
*1173. n. 10. 1159. n. 21.*

*Ep. Bonif. 8. ad Edw. 1. ap. Mat. West. ad an. 1301.*

*pag. 19.*



*Omnes  
Italie  
feu Occi-  
dentalium  
Regio-  
num Pro-  
vincias,  
&c.*

*Cyp. Con-  
stantinus.  
Dist. 96.*

*Hist. of  
the Irish  
Remonst.  
P. 117.*

comes to the Test, and however, no caution against you is too much. Again why may not *Constantins Donation* one day rise up in Judgment against us? *Britain* was at that time one of the *Western Provinces* of the *Roman Empire*, and, if this Deed be valid, undoubtedly past with the rest. I know well enough there are among you who make bold with this evidence, and refuse to admit it for Authentick: But there are too who stand stiffly for it, and among these several Popes. Were there any likelihood it would bring *Grist* to the *Mil*, I do not think the *Palea* set before it, would hinder it from passing for good Wheat. In fine while *Human Right*, not only may, but actually is pretend- ed at this day, we have reason to look about us. The *Lo- vain Divines*, if the History of the *Irish Remonstrance* say true, made it one of their four chief grounds, and the on- ly ground of *Right*, for condemning that *Remonstrance*, and since they declare not in particular whence they deriv'd the pretence of *Human Right*, make it necessary we should be secured against all.

You see where the Shoe pinches; make it easy if you can, though when you have done your uttermost, I fear 'twill pinch still. For you are but a single man, and what a single man can do, is not considerable. Besides you conceal your self, conscious it seems of being disowned by your fellows, who if they be otherwise perswaded, what will your single honesty do us good? A Traytor or two in a Nation can do no great harm, and one or two honest men as little good. As you carry matters you seem to confess the generality is not of your mind. Nay how do I know that so much as single you are as honest as you pretend, and truly mean as you say? You may with the liberty allowed in your Church, *Prevaricate* for ought I know, even though you should renounce *Prevarication*; or you may, according to your comfortable doctrine of *Extrinsic Probability*, embrace to morrow what you reject to day. You are question- less much beholding to your Church; which with her in- fallible guidance, has brought you to that pass, that if there be an honest man among you, He cannot make out that he is so, but must thank the good nature and Charity of his Neighbours for what reputation he has;

I must confess I am sorry for the severities which are falling on you, but yet my pity does not so far blind my Reason, but that I see they cannot complain of being treated like knaves, who cannot produce any satisfactory evidence that they are otherwise, and though they could, are too few to be taken notice of. For the eye of all Laws looks only on Generals, and 'tis not possible that every man in a nation should have a particular Law made for him.

Pray excuse me if I press too hard, and seem to add to your troubles, which I am so far from desiring to increase, that I would ease it if I could. For, truly, notwithstanding what I have said, I make no question but you are a very honest man, and take it upon your word that there are more as honest as your self. And I declare freely, that I concur with the judgment of those, \* not only the most \* *and if* moderate, but in my opinion the most learned and most *they* wise among us, who wish some indulgence to such as you *would* are. But these are but wishes, your fate depends upon a *perform*

*that*  
common duty, it is very probable, that, there appearing no more danger to threaten the Estate from them, than from other men, those Laws which the iniquity of their fore-fathers brought upon them by their conspiracies and Treasons, may be suspended towards their Innocent Children, until such time as their peaceable demeanour and good carriage shall make it appear just to be abolished. *Animadvers. upon Fanaticism* Fanatically imputed by a Person of Honour, p. 261. These things I yield to be reasonable. 1. That where there is a real difference in Principles, the Government should make a difference; because the reason of the Law is the danger of those Principles; which if some heartily renounce, there seems to be no ground that they should suffer equally with those who will not. *Dr. Stillingfleet. Answer to S. C. Ep. Apologet.* p. 476.

By Protection I mean such an Exemption from the Rigour of our laws (which were never designed against Persons of their moderate Principles) as might encourage them to speak their minds freely, and to Profelyte others of their own Communion, and may make a manifest distinction betwixt the good and ill-principled persons of their Church. That it is Fit as well as Just and charitable; That it is as much for our Interest as it is Reasonable in it self to allow them this Protection; besides the considerations intimated in the beginning of this discourse § 11.

*Several others might have been suggested, &c. Considerat. of pres. Concernment, p. 400. If these Seminaries, &c. would employ their travails in the works of light and Doctrine according to the usage of their Schools, and content themselves with their Profession and Devotion, &c. There is no doubt by Gods grace, but all colour and occasion of shedding the blood of any more of her natural Subjects of this land, should utterly cease. Execution for Justice, p. 38.*

a greater and more efficacious wisdom. Whatsoever it be, my speaking plainly I conceive will do you no prejudice. For besides that it gives you the opportunity of clearing your self if you can, every body thinks, and any body may say as much as I do. And I think you will not take it amiss if that be said, which you know may. At least I hope you will hear it with least offence from

*Your Friend*

*and*

*Servant.*

**FRIEND,**

## FRIEND,

I did not expect to be importun'd again at a time, when you may very well think I am but ill dispos'd to write. When I see the well meaning of such, as I am, interpreted for a piece of dangerous craft, dreams of bold undertakers and men of speculation; when any kindness or Indulgence to a Roman Votary, of whatever Principle or Subdivision he pretend to be, is concluded to be stilling a Tempest by whispering to it, or reclaiming a Viper by receiving him into the bosom; while the unheath'd Sword of the Law hangs over my head, and may fall, for ought I know, even while I am at it: I suppose you will easily believe I have no more stomach to writing, then the flattering fool had to his meat. Truly did not the question concern the duty of a good Subject, from which I believe no cross accident a sufficient dispensation, silence, or excuse should have been all my answer. For as the world goes I foresee no fruit of my writing, but to make the Author pass for a scribbling Emperick, who makes the disease worse then it would be, by stirring humours unseasonably. I know not why it is not as wise to go on endlessly with Mercury and Coals, as continue to sow the seeds, as simple I think, of good intelligence and mutual love, and reap nothing but heightened jealousies and Animosities. To set me a writing, what purchases me the reputation of a Fool and a Knave to boot, and still to urge me to write, is to stretch the power you have over me with the farthest. Notwithstanding, the Subject being of the nature it is, I shall overcome the repugnance I have to meddle more, with the consideration of my duty, and let you and the world see, that Jealousy, and Scorn, and Severity, and whatever you please to lay on despicable Papists, shall not hinder them from being affected as they ought, to the Honour and security of their Prince and Country. Use me as you please, I shall continue to desire, and, as much as you will

let me, contribute to the service of both. If the success be not answerable to all the hopes, with which my simplicity has sometimes flatter'd me, One better ground'd, I am sure will not deceive me. I hope receive from the Grace of God a constancy in my duty, whatever the face of things be, and from his goodness a recompence above what man can give, and, *reposita est hac spes mea in sinu meo.*

To come to your Letter, I must acknowledge I have seen the *Considerations* to which you refer me. Whatever I think of the Book, I think very well of the Author. And that for more then one Reason. There is in him great Reading, and great Judgment, and great Candor, and care to speak strong sence in unoffensive language, so that he disoblige not, even when he confutes. In short *He is* one, such, as when I think my self able to hold up a side, I would wish for an Adversary. I wish him one as learned and as candid as himself, and then we may hope to see the Truth fairly try'd out between them; and let her carry it on Gods name on which side soever she be. For what concerns my self, I shall defend what I have said against his exceptions, as well as I can, when you require it; which I hope you will not do, till you find me something better dispos'd.

Notwithstanding I wish he had spared his two first Topicks, which I believe less digested then any thing he says besides. They are framed against the supposition of a forcible settlement of Popery. May they be hang'd, without more ado, for grand Traytors as they are, who think such a thought, if there be any, which because I firmly believe there are not, I complain of a supposition too injurious. There needs no casting about for Topicks to shew the inconveniences of such a supposition, if it could be made. Force cannot be without mischiefs too obvious to need proof, but likewise too exorbitant to asperse people with them on suppositions, and those so unreasonable and impossible. The Papist is not the hundredth, I am confident not the thousandth man in this nation. When he does any thing by force, the old miracles must return, *one chase a thousand, and two ten thousand.* I say nothing to the first Topick, because it has nothing to do with my present argument, and for another reason, which I think not so convenient



convenient to express. Besides I doubt not but the Authors zeal for Religion, will move him to consider it over again, and give a solution to his own argument.

The second is what you make the principal part of your letter, to which being to speak more at large hereafter, I only observe for the present, that it seems ill suited to his purpose. It is fear of the Popes pretences on England upon Human Right, in case the return of Popery should give him opportunity to set them on foot. Now I conceive the return of Popery neither makes, nor mars, in the case. For if the pretences be good, Protestants cannot avoid them; if bad, Papists will not admit them. Right is Right to Protestants, as well as Papists, and no Right has the same no force on us as you. Popery would not hinder us from pleading Prescription, nor Prescription from having its efficacy. It sounds just as if he should say: Let us keep the Pope out right or wrong, for if he should come in, it may chance be found he has a Right which we are resolved not to acknowledge, whether he have it or no. Such a discourse I take to be dishonourable to his own Religion, as if they car'd not to do unjustly, and hinder other folks of their due; dangerous to the Commonwealth; and supposing a falsity too palpable to admit of supposition, namely, that the Pope may have a Right to *England*. But this by the by, and for an exception to the fitness, not substance of his discourse. For though I think it not proper to his purpose, and every jot as strong against themselves as us, yet the difficulty, as he has manag'd it, truly with more strength then I have seen it urg'd elsewhere, both deserves and requires an answer. I hope we shall no longer pass for men blindly addicted to the Pope and his Interest, when the world sees a Protestant take the Popes part, and a Papist the Kings against him. As tenacious as we are of what we believe his due, I trust it will be acknowledged we believe nothing due, which may keep us from being true to the Interest of our Country, when all the discouragements we receive from our Country, hinder us not from standing faithfully by it, in opposition to his undue pretences, whensoever, and by whomsoever, and howsoever urg'd. And these are so urg'd, that no Arguments, with which I  
have

have had occasion to meddle, of his profess'd Champions; have given me so much to do.

But respiting this matter a little while, I will take the liberty to alter your order, and begin at the latter end of your letter, because what you say there, is of another nature from what goes before, and things of a kind do best together. You object that *I am a single, and, which is more, a conceal'd man, and all I say or do inconsiderable.* And 'tis true that I am inconsiderable enough all wayes, whether in learning or credit. Notwithstanding I thought my self able to answer your Objections. If you thought it not considerable, whether they were answered or no, you did ill to put me to so much fruitless pains. I thought you had sufficiently considered why you engaged me to write, and lookt no farther then to answer as truly and plainly as I could. To tell me at last that all my pains are to no purpose, is a very unexpected objection, and to which all I can answer is to complain of you, for putting an inconsiderable employment upon me, who could have spent that inconsiderably taken up time with some more satisfaction, and it may be advantage to my self.

As for *being single*, if it were so, I should hope there is no such urgent necessity, that a man should be punisht, because he has no company. To say, as you do, that the Eye of the Law cannot look on particulars, is something surprizing, when we see them found out and brought to punishment every day; and why particulars may not, with as much ease, be indemnifi'd, as punisht, I cannot comprehend. 'Tis a plain case that the care of the Law does extend to particulars, and in other cases, provides for the security of every single man, whose guilt excludes him not from their protection. Me thinks 'tis very hard that *Peter* must suffer because he is not *Paul* too, or because *Paul* will not think as *Peter* does, therefore *Peter* too must go to pot, and two be punisht because one offends. But to give you satisfaction in this point, according to your own fancy, consider that Merit, and Demerit are general things, and proper objects of the care of Laws. Encouragement of the one, and Discouragement of the other, are the hinges on which Government turns. Law-makers, without num-  
bring

bring heads, and counting how many come under one, or the other branch, frame their Laws in general, and proposing Hopes and Fears to make them chuse right, leave Particulars to the choice of their own ways. Let the same Providence be extended to this case, which if it were not to others, Commonwealths would hardly subsist, and I have no more to desire of you. I hope 'twere no disgrace to the Law, if I were the only man who reap't benefit by it.

But indeed I am not single. I have heretofore told you there are more of my mind, and I tell you again you shall find it so, if people once may freely say what they think. But while you involve us all, guilty or not guilty, in the same mass of perdition; while we are sure to be no jot better for speaking, and not sure but we may be much worse, by adding dissatisfactions among our selves to the severities we fear from you; me thinks you should not complain of our silence. This is to tie up a mans tongue, and then blame him for saying nothing. Pray let us see some good likely to come of speaking, either to you, or our selves, or some body, before you oblige us to expose our selves to more harm then we are subject to already.

No Friend! 'Tis not Fear of being disown'd by my fellows, which conceals me, but *Fear* I shall be no better; *Fear* I may be worse lookt on by you; and if you will permit me to say it, *Grief*, for having that cause of Fear. Not but that I know well enough that every one of my Communion, is not of my perswasion; in this point of the Popes power. But you know I have often declared, I desire favour only for those who are. How many there be, truly I know not, nor will use any endeavours to know. For I fear you would not take it well, if any of us should go about to make an estimate of the strength of a party. There may be more, there may be fewer: But the fewer there be, the less reason, I should think, to exclude them from your protection, since evidently there can be no danger from a few. How I fear, if we should prove more then you imagine, you would then object number to us, with a little more speciousness, and a great deal more concern! Since every body desires to have as few Enemies as they can,

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while you will not let us be friends, I cannot believe you much in earnest, when you object fewness to us. You say this because it came in your way, but otherwise would be better pleas'd, if I mistake not, if we were fewer then we are. Indeed you urge not this fewness as dangerous, but as inconsiderable. But why should Innocence be thought so inconsiderable a thing? Innocence is Innocence in one man as well as a thousand, and should not be cast carelessly away. If the Laws would take into their protection such only as should give you the satisfaction, which your selves should judge reasonable, perhaps their number may prove great enough to deserve their care, and then you would have what you desir'd, however it is not unworthy the care of Laws to provide that no man should suffer without desert.

Now I am upon this Subject, pardon a little freedom, and a little Tautology. You complain I am single, and conceal'd, and will not take notice that 'tis your dealing which makes me so. What reason has any body to joyn with me, what reason have I to discover my self, when doing so will make us worse then we are already, which I refer me to your self if it be not bad enough? You will not be satisfy'd, but with what you know will cause dissatisfaction among our selves. A man that had any jealousy in his nature would startle at this: but yet while your pretences for thus much are at least specious, those whose conscience will allow them, are willing to do as you would have them, satisfy you your own way, and upon your own Terms. When this is done you are as little satisfy'd as before. And out come harsh suspicions, of I know not what craft and danger cover'd under these specious Condescendencies: out come harsher things then bare suspicions, the Sword of the Law hanging naked over our heads, and threatening us with all the sharpness of its unavoydable edge. You will not let us pass for good Subjects, till we have done what no Nation in Christendom, besides your selves, thinks necessary for the trial of good Subjects. Sure the *English* are not the only good Subjects, nor the only wise men of the world. However when a man has pass'd the test of your uttermost scrupulosity, and may be

be call'd a good Subject, even in your nice language, then has this good Subject to expect for his comfort, which will be taken, his twenty pound a month, or his two Thirds. Shall I venture to say, what has, by some less credulous, been long thought? As Princes resolv'd to make War, would yet be thought inclin'd to Peace, and seek to persuade the World they draw not their Swords but forc'd by Justice and necessity, to deal you with us: no answer that is or can be made to their Reasons, shall keep the *Rationalissima* from thundring at last, nor no return we make to your Objections shall hinder you from what you have determin'd concerning us. Whether we stand on our justification, or yield to you, whether innocent or guilty, They are persuaded we shall with all our several Principles and subdivisions, Wheat and Tares indifferently be bound up together into one condemned bundle, and thrown into the fire at last. This they gather partly from your objections, which in truth are wonderful crosses, urging now Danger, and then Craft, now Number, and presently after Fewness, and when one is taken taken off, you never fail of another, nor shew any disposition that you ever will. They gather it more apparently from your Actions, more certain signs of the mind by far than words, and think it a foolish thing to guess at what you mean by what you say, when they see what you do. When a Prince fills the Frontiers with Magazines, and Souldiers, and Weapons, they think his intentions plain enough, and judge not of them by his manifests. If this be what we must trust to, which truly I shall be the last man who believes, if the good Subject must be condemned, that the Papist may not escape, and no hopes of living with comfort in this world, but by forfeiting our hopes of the next: It is not for us to think of any thing but the next World, and those comforts which will not fail us, of good Christians and a good Conscience. And I very earnestly entreat you to leave me in quiet, as long as the Law will let me, to study, what only becomes me, Patience. For to study longer how to satisfy those who will not be satisfy'd, and with a great deal of pains purchase the reputation of one more dangerous than those who will not, perhaps cannot, answer you, is not more uncomfortable than irrational.



Is not your next Objection a kind of secret Declaration (to use the Figure call'd a Bull) of your mind in this point? You would have it *impossible so much as for a single person to give you satisfaction, because one may prevaricate even while he renounces prevarication.* I cannot tell how far you are in earnest; but this to my eye looks like a reserve in store, when other pretences fail, to maintain a resolution of admitting no satisfaction. Otherwise can you seriously believe there is no trusting, no taking one anothers word, because the Doctrine of Equivocation has been taught in the world? If this were true, Cities and Societies had been left off by this time, and we had in Deserts been experiencing the comforts of the returned Golden Age. For there is no living in society without mutual trust. Those doctrines do not hinder us from keeping up society still, and dealing together with security enough, and if we can give security to one another, such as serves the turn, and enables us to converse and treat with confidence, what should hinder but we may give it to you too?

But let us look upon the Objection: Some of our Communion have thought Equivocation lawful, therefore none may be trusted. Do you think this Inference concluding? Will you have every one of our Communion answerable for what is said by any one? Pray consider whether Positions have not been maintain'd, by some of your Communion, with which if others should be charged, they would think themselves not fairly dealt with; it is no more reasonable to impute these doctrines to our Communion, in which if there be who hold, there are too who contradict them. The *Yea's* and the *No's* should not be confounded, and which is more unjust, the *No's* condemn'd for the fault of the *Yea's*. For my own particular, I could produce, if that would satisfy you, sufficient Compurgators for my innocence in this particular, and sufficient witnesses, that I never believ'd Equivocation lawful, nor was ever taught it was, nor ever heard of it without a scurvy character. But then if the fancy should take you to except against my Compurgators, you would leave me no means to make out my Innocence, and yet I am very sure I am innocent.

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Yet let me tell you, if you go this way to work, you may chance be caught in your own Trap. For this is no point of Religion. It belongs purely to Learning, and may be held by men of different Communions. You read our Authors as well as your own, and I suppose assent to as much as you think true in them. Pray who shall be your Compurgator, that you do not your self hold this doctrine which you object to me? And why may not I as well suspect you of Prevarication, as you me? For 'tis nothing to purpose that it is not found in your Books: You may think it true by what you find in ours; and if you may, who shall secure me that you do not? And then there is no remedy, but we must all into the wilderness. But if you think your self sufficiently justifi'd, that no word or action of yours, has given a reasonable ground of suspicion, that you believe the doctrine true, truly I can say as much for my self, and if need be, bring good proof of what I say. If this will not do, I know not how either of us can clear our selves, nor how we can deal with one another, or any body else with either of us.

I conceive therefore this Topic of yours is manifestly deceitful, and as a Canon overcharged bursts it self instead of hitting the Enemy, becomes ineffectual by having too much force. For evidently if your Inference be true, *viz.* that none of us can be trusted, this is also true, that absolutely none can be trusted, whether of us or you; and if there can be no Trust, there can be no Society in the world; which is a Conclusion so destructive, that the Argument must of necessity be deceitful which infers it. To dive farther into the business belongs not to me. If you will not take this in payment, demand your debt where it is due. I for my part owe you no more on this account, than you me. For I never held Equivocation lawful no more than you, and am no more to answer for it. I shall only say, that were we indeed such Juglers as you seem to fear, so dextrous at the Legerdemain of Equivocation, nothing you could do would exclude us from any benefit which other Englishmen enjoy. You know well enough that words cannot be so contriv'd, but sophistry may work upon them, and if we thought it allowable to take advantage

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by it, we should long before this have taken all your Oaths; and it may be, by stretching our Conscience a little farther, dissimbled in actions as well as words. and gone to Church, and taken your Sacraments, and continued Papists all the while. Alas! we need not trouble you for Physick, if we had such a Remedy of our own in store. But you know no discouragements, no apprehension, even of utter ruine, has prevailed with us to do, what yet you would perswade us we think we lawfully may, and which if we did, we were stark mad to refuse. The candid Author of the *Considerations* has truly observ'd, such a liberty would destroy us, and I hope you are sufficiently secured, if you cannot be undone by us but by undoing our selves.

S. 54.

In the next place you touch slightly upon Probable Opinions, more I suppose with the exuberancy of a flowing fancy, then check of a real concern. These Doctrines have been so treated by those of our Communion, that I believe you sufficiently perswaded there are not many of yours who have less kindness for them. I know not how you can use them worse than to place them, as a late Author has done among the *Devils Morals*. However it be, they are plainly laid open to the view of every body, and we have taken care you should not be ignorant of any thing we know concerning them. In my opinion it is needless for me to stay on a Subject so largely treated by better pens, guided by more acquaintance with them. All I shall return by way of answer is, that I can give you no more light than you have already, and that you may, if you truly apprehend any danger from them, provide for your own security, as you please, and treat those, who shall refuse to give it, as you please too. If this do not satisfie you, nothing that I can say, will.

*Aegidius  
Gabrielis  
Specimina  
Moralis  
Christia-  
nae & Di-  
abolicae.  
pag. 293.*

*Cap. Con-  
stantinus  
Dist. 96.*

Having said thus much to your collateral exceptions, I come at last to the principal business of your Letter, those Pretences which the Pope may have by *Human Right*. Though you observe it not, I conceive it best to follow the order of Time, and begin with the famous *Donation of Constantine*. Of this there is a very formal Charter extant in the Canon Law, and said by some to be preserv'd in the *Vatican*, by which

which *Rome, Italy*, and all the West are convey'd to the Pope, besides other particulars, which concern not our question. There is great disagreement among learned men who treat of this Argument. Some labour to make good the *Charter*, others the *Donation* only, and there are who reject both the one and the other. I speak only of our Authors, for as for yours they all agree with the latter. Now although I conceive that to overthrow either, is to overthrow both, ( for if the *Charter* be forged, the *Donation* cannot be prov'd, of which this is the only Evidence produced or produceable; and again if the *Donation* be disproved, the *Charter* cannot be valid ) yet to consult my own ease, I chuse only to speak to the *Donation*, lest the nice scrupulosity of those who think the *Donation* may be true, though the *Charter* be false, should engage me in answ' labour. For the *Charter* let it suffice that it is generally rejected by men of greatest Learning and Judgment, and among the rest by *Baronius* himself, one not likely to cast away slightly any thing that makes for the advantage of the Pope.

Baron.  
ad an.  
1191.  
p. 52.

As for the *Donation*, it seems the product of a fancy little acquainted with Nature, and the course of human action, or at least little minding them. *Constantin* was a Prince, who with great labour and fortune prevail'd against his powerful Competitors, and establish'd the Empire in himself, and his family. I cannot easily imagin a conceit more wild, than that he should so little value, what he had purchas'd with so much toil and danger, as to make a present of the best part of it, to one who never so much as ask'd him for it. Princes do not use to think so slightly of their Dominions. Sovereignty bears a greater rate then so, nor will they much sooner consent to forego a part, then the whole. Or if the suspicion might pass for not impossible in Princes, by long and quiet enjoyment of Power, grown weary, or perhaps insensible of what they enjoy, as men become cloy'd with the same conditions as well as the same meats; yet 'tis hardly imaginable of such a man as *Constantin*. He had fought hard, and often, and dangerously for what he had; he had staked against it his Life and Honour, and all he had and hoped. He who struggles

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into Sovereignty through so many difficulties, must needs value it more, than to throw a great part of it away, as soon as he has got it. He might without any hazard or pains have quietly enjoy'd, almost as much, as if his Donation were real, he reserv'd to himself. For certainly a composition might have taken up all differences with his Competitors, had he been careless of more than enjoying his own share with safety. But he was a man of another spirit, and into whose head it never came to dispossess himself of what he had obtained with so much dangerous pains. But if the motion came not from himself, it is more wild to fancy it should proceed from any body else. Who would dare to speak to him of dismembering the Empire? And what Christianity (for Infidels sure cannot be suspected) would by so mad a zeal have expos'd all Christianity to evident hazard? Had he once perceiv'd it an interested Religion, and which entertained bold ambitious thoughts, even to share the Empire with him, and transfer to themselves the fruit of his labours and victories, nothing but miracle could have kept him from thinking better of his old.

Again he had Children whom he train'd up as Princes, and entrusted with the care of several Provinces. Will any man of sense believe, that after he had with much care made them fit for government, he should leave them nothing to govern? and having bred them Princes in his life time, oblige them to turn private men after his death? Without all doubt if Nature would have allow'd him causlessly to disinherit his Children, and give away their Birth-right to Strangers, Prudence would have instructed him to dispose them to this change of their Fortunes by their Education, and excepting Him, whom he design'd for Successor in the part reserv'd to himself, to enure the rest by custom to brook that private condition, in which he meant to place them. He was a good natur'd man, and lov'd his Children; he was a wise man, and his natural judgment wonderfully strengthened by experience of all sorts of affairs, could not be to seek how to lay means for the ends he purpos'd. This fancy leaves him neither natural affection nor wit: but supposes after he had rooted out those inclinations which nature plants so powerfully in every



every body, and this without any demerit on his Children's side, or any shew on his, who always testify'd the affections of a Father to them, He ordered the matter so crossly, as to dispose things quite contrary to what he intended to bring them.

But let it pass for once : Let it be suppos'd, against nature and the course of his life, he would do such a thing : may it be supposed he could ? And I speak with reference to Nature, not Law. Waving the many, and those not easily answerable, legal exceptions which some have taken to this Grant, I only enquire what was likely to follow while men were men, and acted as men use to do. His Children were Princes, who by their Birth expected, and by their Education were acquainted with power. Unless they consented to this Donation, and voluntarily yeilded up their pretensions, I see not to what purpose it could be. Undoubtedly they would never be contented to sit tamely down, and see their Birth-right given away against their wills. Or if they would, some of their Posterity would have had more ambitious spirits, and struggled with all their force to recover a height, to which they were once so near. 'Twas a very preposterous Piety to entail perpetual confusion on the Empire, and expose it to greater and more lasting troubles, than those from which the virtue and Fortune of *Constantin* had newly rescu'd it. He that can fancy so wise a Prince should entertain a Project of such a desperate consequence, and so impossible to succeed, has a fancy, in my opinion, fitter for Romances than any thing else.

And yet peradventure there is not much less difficulty on the side of the Taker, than the Giver. 'Twas yet the Age of wooden *Chalices*, and golden Priests. Popes in those days were holy men, and very free from the suspicion of Ambition. They were so far from looking after Worldly advancements, that they accepted not of Spiritual but by force, *Silvester*, to whom the Donation is pretended to be made, did no way degenerate from the holiness of his Predecessors, making himself one in the Catalogue of Popes who were saints, He was not a man to increase the heavy burthen, of the care of Souls, with the weight of temporal government ;

ment; and far from being tempted by the glittering appearances of worldly greatness, I beleive would have fled from it, as a hinderance to a duty, which he took a great deal more to heart. Less distractions, than the Government of a good part of the World, were long after his days complained of by holy men; though perhaps not holier than himself.

But let us suppose a man invulnerable, for sanctity even to this day, overcome by the temptations of greatness, so powerful with frail nature, what should he have done with this power, which *Constantine* is said to have given him? The World was like to be well govern'd, when from the Caves of *Soracte*, a man should suddainly be transplanted into an Imperial Throne; and He who had spent all his time in the meditation of Divine things, and treating with afflicted poor people, with whom he kept company in obscurity and perpetual fear, set to rule great nations, full of unquiet Martial spirits, and as much us'd to war as He to his Books, and perhaps as much in love with it? Without doubt whoever invented this story, was not us'd to check his airy fancies with consideration of what was likely or possible. Turn it which way you will, 'tis pure *Romance* on all sides.

But I need not amuse my self, with examining what was likely or not likely, when it appears, by the uniform consent of all Historians, that actually there was no such thing. The Empire was, as Nature and Reason requir'd, governed, after the death of *Constantine*, by his Children, shared among them by himself, who is said to have given so much away before. Those very Provinces, said to be convey'd to the Pope, were by his Testament bequeath'd to *Constans* and *Constantine*, and the East to *Constantius*. By virtue of this Testament they enter'd into Possession, and were themselves, and their successors after them acknowledged for the only Lords of the Countries under them by all the rest of the World, and by the contemporary Popes, as well as others, till at last the revolution of human things, rent the West from the East by the breaking in of barbarous Nations; set up a new Empire in the West, upon a new and independent Title; put a period to the Empire of the East by

by the *Turks*; rais'd the Pope to a temporal Principality, and brought the World into the condition it is in at present. The names and actions of these successors of *Constantine*, with the wayes by which they came to their greatness, are recorded in History, the Pope not taken notice of all the while, nor any claim of his so much as remembered. He had no hand in the succession of the following Emperors, no voice in the election, no approbation of the Elect, no coronation, no acknowledgment, no sign of supream Dominion, but as another Subject obey'd those, who by Election, or succession, or Force, came to be Emperors. I mean till the Empire was translated to the West, for as he had a great hand in that translation, he has ever since appeared more; but I speak of the times before. And all this is evident beyond all dispute.

Reconcile this, who can, with *Constantins Donation*. If he put the Pope in possession of the Western Provinces, how could he bequeath them to his Son? And if he put him not in possession, how could he be said to give them? It is a mockery, not a gift; to say these Provinces are yours, which I keep to my self during life, and dispose to others after my death. *Livery and Seisin* are pretty material circumstances in such conveyances, where nothing can be understood to pass without them. If *Constantine* gavè them, the Pope must have had them, and that he had them not is as plain as History can make any thing, where it is particularly with uniform consent recorded in whose hands these Western Provinces were, what changes hapned from time to time, and by what means from the death of *Constantine*, till the Arms and favour of *France* under *Pipin* and his son *Charles* put into the Popes possession most of what he has. It is known, and by *Bellarmino* himself confess, that Popes during those times were Subjects, at least *de facto*, which is enough for our present purpose, there needing no more to shew they had not those Countries which *Constantine* is said to have given to them. Nor but that both he, and divers others after, and before him too, were excreamly munificent to the Church, by which munificence much Land in several places was settled on her by way of Alms, and actually in her possession. But she enjoy'd the revenues

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only of those Lands; Administration of Justice, and all Regalities were reserv'd to the Temporal Lords. This has deceiv'd some, who finding mention of Possessions belonging to the Church in former Ages, imagined they so belonged to her then as they do now, with entire and independent subjection. Whereas till Popes were by the liberality and power of the *French* rais'd to the state of Temporal Princes, the Lands of the Church were in the same condition with the estates of other Subjects, the immediate owners receiving the Profits, and both their Lands and Themselves subject to the supreme Lord. They were given to other Churches as well as *Rome*, for maintenance of the Clergy and Poor, for the expences of buildings and reparations, and Divine Service, and that so plentifully, that some refused offered Patrimónies; others restored what they once had, not willing to be burthened with more than was needful. These Lands paid publick duties as other Lands did, till the Laws exempted them: But these things are besides the matter.

To return to our Argument; if the successors of *Constantin* continued the only known Masters of those very Countries, which are said to be given away; if Popes acknowledged them for such as well as the rest of the World, and never so much as put in any claim, or pretended any thing to the contrary; And all this be so plain, that nothing can be plainer; no fiction can be more palpable, nor more wild, than this of *Constantin's Donation*. It is undeniably evident that neither Popes nor Emperours, nor any body else in those dayes knew any thing of it. And it is as evident that they must know of it, if it had been at all. At least if they did not, none else could, in after times. This Donation was not heard of in the World till long after. *Baronius* thinks the pretended Charter forged by the *Grecians* after the tenth Age; *Marca* by the *Latins* in the time of *Pipin*, and by his consent, to stop the mouths of the *Grecians*, who made instance that the Lands recovered from the *Lombards*, and by Him given to the Church, should be restored to the Empire. However it be for the Time or Author of the fiction, that the Charter is a meer and late forgery is acknowledged, both by *Baronius*, and by most of the

Baron.  
ad an.  
1191.  
n. 52.  
Marca  
de Conc.  
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& Imp.  
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the learned men even of the Popes Communion. That the *Donation* cannot be pretended with any shew of Reason, but in force of the Charter is plain. For 'tis next to madness to say the West was given, and produce no Evidence of the Gift. Any man may claim any mans Estate with as much colour, and the Pope from such a claim can expect no more success than another man. But there is nothing which can be alledged in proof of this Donation, besides this Charter. Wherefore the whole business, of which you seem to be jealous, is in it self a pure *Chimera*, absolutely contradicted by the course of Nature, and consent of History, and the only Evidence producible for it, acknowledged a forgery by our selves. And if this give you much disquiet, I cannot but think you wonderful fearful. Let the worst come to the worst, 'tis not the case of *England* alone. *France* and *Spain* and *Germany* were Western Provinces as well as *Britain*, and as much concern'd as we. While we have such Outworks we need not much fear our Fort. The truth is our safety depends in reality on them. For let his Right be never so good, till it have seiz'd on them, it cannot fasten on us, and when it has, we cannot escape, let it be never so bad. Mean time I think you may sleep quietly on, the noise which will be made in the World, when any of these Countries leave their native Princes, and become subject to a Forreigner, and quit their long settled Customs, and Laws and Liberties, in reverence to *Constantin's* Donation, will wake you time enough. But if you sleep till then, you will go near to be the 8th. sleeper, and alone out-sumber all the seven.

Thus far of our Journey we have good company with us, and the best part of Christendom being of the Caravan, travel with security enough. But now the Road parts, and we must shift for our selves. *Henry II.* say you from *Baronius*, acknowledged the Kingdom of England Feudatory to the Pope in a Letter extant in *Petrus Blesensis*. You might have added the Cardinals Comment upon the Popes confirmation, or rather approbation of *K. Stephen's* election, which he says was therefore mentioned in the Coronation Oath, because the Kingdom was feudatory to the Pope, so that every new King receiv'd confirmation from him. Which also was

Baron:  
ad an.  
1135.21.



Ad an.  
1172.  
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acknowledged by Hen. II. in the Letter of Blesensis. Besides he produces afterwards from the Acts of *Alexander III.* a clause of the Oath made at the conclusion of the difference, upon the death of *S. Thomas of Canterbury*, wherein the Kings both Father and Son are made to swear, *That they will receive and hold the Kingdom of England from the Pope, and neither they nor their successors repute themselves Kings of England, till the Popes for the time being, acknowledge them Catholick Kings.*

We have here the Cardinals word, the authority of his Acts, and the testimony of *Petrus Blesensis.* For the Cardinals word, it had been more for his credit, if he had not engaged in it a manifest untruth. People would have been more apt to believe him in other things. It is not known more certainly that there have been *Romans* and *Saxons, Danes* and *Normans* in this Island, than that the supreme Government, is, and alwayes has been, Independent on any but God. Truly I grieve, and am ashamed to see, Zeal to the Pope, carry it in such a man, above Zeal to Truth. For thus much of his saying, *That England is feudatory,* he does indeed bring proof, such as it is; but for the latter part, that *every new King receiv'd Confirmation from the Pope,* he does not so much as offer at any. And yet the business is of such a nature, that the proof must needs be evident and obvious, if the thing were true. But the contrary is notorious, every body, that knows any thing of our matters, knowing that no King of *England* ever receiv'd Confirmation from *Rome,* no not King *Stephen* himself.

There was indeed this preamble, not to the Coronation Oath, as *Baronius* mistakes, but to the ratification of what King *Stephen* had promis'd, when he was Crown'd at *Westminster,* in an Assembly at *Oxford.* *Ego Stephanus D. G. assensu Cleri & Populi in Regem Angliæ electus, & à Wilhelmo Cant. Archiepiscopo & S. Rom. Ecclesia Legato consecratus, & ab Innocentio S. Rom. Sedis Pontifice confirmatus, &c.* Upon this plain song the Cardinal descends in the manner before rehears'd, and might as well and as truly have concluded that the Kingdom was likewise elective. For 'tis at least true that he was elected, but it is not true that he was confirmed. The Popes Letter to the King is extant in

*Richardus*

*Richardus Hagulstadenfis.* Confirmation is so far from appearing there, that the word is not so much as mentioned. He says only, that *since for avoiding the mischiefs likely to ensue upon the death of Henry I. He had by unanimous consent been chosen to succeed; He (the Pope) was well pleas'd with what was done, and with paternal affection receiv'd him for a special son of the Rom. Church, and would treat him with the same honour and familiarity which he had us'd to his Predecessor of famous memory.*

This is far enough from Confirmation, and the language of a supream Lord: No State in Christendom, or out of Christendom, but confirms Kings, as well as the Pope, if this be confirmation. When any Prince has a flaw in his Title, He seeks to be acknowledged by the Neighbour Princes, and when they acknowledge, They confirm him as much as the Pope did *K. Stephen*. And this was plainly the case. *Maud* the Empress, daughter to *Henry I.* was the true Heir of the Crown. *King Stephen* himself had by a solemn and late Oath acknowledged her right, and engaged to maintain it. He had reason to colour his proceedings as well as he could, and provide something to say, that he might not pass for a manifestly perjur'd man. And so he reckons up Election, and Consecration, and Confirmation, which yet altogether were not sufficient to make him a good Title, in the judgment even of the Pope himself. For when *K. Stephen*, desirous to secure the succession to his son *Enstace*, required the Bishops to crown him in his own life time, they with the hazard of their lives constantly refus'd to do it, being forbidden by the Pope to crown the son of a man who had usurped the Kingdom contrary to his Oath.

Had the Pope been thought supream Lord, and his consent necessary, *K. Stephen* must have had recourse to him in the first place, and could not have taken the Crown till his ratification was come. But 'tis plain he was crown'd before the Pope was made acquainted with the business, and before he knew how the Pope would take it, and however he had taken it, I believe would have kept the Crown which he had gotten. Indeed he thought it for the advantage of his affairs to call the Popes acknowledgment a Confirmation; but neither is there any ground in the Letter

on which to raise such a construction; and besides 'tis plain that 'twas not dependence of the Crown, but defect of Title in himself, to which that Confirmation, such as it was, can be applied. So that *Baronius* is quite out, and the worst Commenter that ever was; it being so far from true, that every new King receiv'd Confirmation from *Rome*, that no one ever did it, not the very King, out of whose fact he so vainly infers all the rest. But that the force of Prejudice is almost inconceivable, one would hardly believe so learned and judicious a man should falter in this manner. However it be, He must excuse us from taking his word in a case, where no body, that I know, would take the word of the Pope himself.

For his Acts, they are a relation of no body knows who, and that me thinks is a pleasant Title to no less than a Kingdom. The Author is a nameless man, of whom it cannot be understood either that he was well informed of what he delivered, or faithfully delivered what he was inform'd of. Had the Cardinal reflected a little better on it, I believe he would have been more tender in exposing such proofs to a censorious World. These unauthentick Acts are plainly contradicted by such as are Authentick. *Roger Hoveden* in his Annals has preserv'd a Copy of the agreement made by the Popes Legates with *Henry II.* upon the death of *S. Thomas of Canterbury*. There the Oath is set down, as it was taken, which was this, *That They ( Father and Son ) would not recede from Pope Alexander and his Catholick Successors, as long as he should treat them like their Ancestors, and Catholick Kings.* This was sealed by the Kings and Legats for an authentick memory of what was concluded, and this *Baronius* himself has set down at large out of *Hoveden*. With *Hoveden* agree the other Historians nearest those times, *Bromton*, and *Gervasius Dorobornensis* (for the rest mention not this particular at all) and with this agrees the relation, sent by the Legats themselves to the Archbishop of *Ravenna*, extant in *Hoveden*. Against so clear an evidence to bring a nameless Author, is more to weaken the credit of his own proofs than strengthen the Popes claim. People will be wary how they trust Acts produc'd by *Baronius*, when he produces such as these, and be convinc'd, that, if the Pope

Pope himself be infallible, all who write of him are not.

There remains *Blesensis* of whom so much is known, that he might possibly be employ'd to write a letter for the King to the Pope. But that he did write this letter, and by order from the King, needs some better proof than that it was found among his papers. It might be a rough draught, never sent: In so many Copies as have been made, from the time in which he lived, till the time his works appear'd in the world, it may have been alter'd. And indeed who considers what goes before, and what comes after, will see the two periods which concern this matter, do not well fit the place. The letter demands Counsel of the Pope, upon the undutiful carriage of his Children, whom though he could reduce by force to their duty, yet the affections of nature hindring him from that course, He prays the Pope to interpose, to whose arbitration he promises to stand. And this hangs pertinently together. But then to make the King say, that *England* is feudatory, and wish it may feel what the Pope can do, suits so ill with the rest, that it seems no part of the original piece, but patcht in by some body else, and he but a botcher. For what is it to purpose, to mention Vassalage, where He only seeks advice? As if the Pope could give counsel to none but Vassals, and as if it were the custom of Vassals to have recourse to their Lords for counsel. It is Justice and Protection which Vassals expect from their Lords, and this the King would have demanded of the Pope, if he had been his Subject. And then He tells him, that He has no material Arms, which is as much as to say, that He is not supreme Lord. For Sovereignty without material Arms, is no very material thing, and indeed is not Sovereignty. So that the King is made very wisely to say, and unsay, with the same breath. Again, while He himself abstains from Rigor, to press the Pope to the utmost rigor he can use, agrees very ill-favour'dly. Besides *Blesensis* dedicates his Letters to this very King. Whoever knows any thing of his humour, and how positive he always was in maintaining left rights of the Crown, than its independency, will not easily believe he would permit such a clause to pass, and much

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ctionis  
est Reg.  
Angliae  
et quan-  
tum ad  
Feudato-  
rii Juris  
obligati-  
onem vo-  
bis dam-  
taxat ob-  
noxius  
teneor.  
Experia-  
tur An-  
glia quid  
possit  
Rom.  
Pontifex,  
et quis  
materia-  
libus ar-  
mis non  
utitur,  
patrimo-  
nium B.  
Petri spi-  
rituali  
gladio  
tueatur.  
Pet. Bles.  
Ep. 136.*

much less become publick. He was more jealous of his Authority than so. Farther, had such a Letter, as is now read in *Blesensis*, been ever sent by the King, *Baronius* sure would have met with the original somewhere or other. For certainly the Vassalage of *England*, and Patrimony of *St. Peter* here, are things of that importance, that it deserved some more than usual care to preserve an Evidence so extraordinary, and not to trust to chance, and the credit of an insignificant Copy, for so great, and so unknown an advantage of the Church. For if *Blesensis* had never been printed, the thing had never been heard of. If such proofs as these may be hearkned to against Kingdoms, truly their Fate is very hard, and much worse than of the meanest Subject who lives in them. He that in a Suit but of 40 shillings should produce no better, were sure to be cast.

I conceive there is no great necessity of saying more, because sentence will alwaies be given for the Defendant, where the Proofs of the Plaintiff are insufficient: but yet let us look into the matter a little farther, and see whether, this fancy of the Cardinals can be reconciled to Nature and History. And I consider in the first place, that the Tenure of Kingdoms is no private thing, to be guest at by incertain testimonies, pickt up and down among Authors of doubtful credit, but known as much as the Kingdoms themselves, and no more concealable than their forms of Government. It may as well be doubted whether they be Kingdoms or Commonwealths, as whether they be independent or no. At every death, at every change of a King, there must be in Vassals, recourse to the supream Lord, his consent required, Homage performed, Duties paid, and all publickly in the face of the world, it concerning the supream Lord, and he alwaies taking care that these demonstrations be made with the greatest shew that can be. In all Treaties, in all Letters, and whatever transactions, the stile betwixt Independent Princes is different from that betwixt Lords and Vassals. In Competitions for the Crown, one part would alwaies fly to the supream Lord, and he, by his influence, make his Superiority appear. A hundred things of this nature must of necessity be registred in authentick



thentick records, and read in the Histories which treat of our matters. *Baronius* little reflected on the nature of the business, when instead of producing Authentick Records, whereof there must have been many at *Rome* as well as here, if there had been any such thing, he alledges *Blesensis*. It cannot be said that the Records are lost by Time and Accidents. For their number, in a case so often hapning, would preserve at least some of them, and he has found records both more antient, and of less concern. Besides Histories remain still. Whoever among so many as have writ, ever mentioned any homage done by our Kings to the Pope, or any confirmation required? Many letters are still extant from the one to the other, and no hint of subjection in any of them. There have been many Competitions for the Crown, and none of the Pretenders ever dream't of fortifying their claims by the Influence of his supreme Lordship, though for the Influence He had as supreme Pastor they desired to make him their friend. In fine, not to insist upon the silence of Histories and Records, and want of proof in *Baronius*, it is evident that the Vassalage of a Kingdom not evidently to appear, is evidently not to be, because it cannot be, without being notorious, and known to all who know the Kingdom.

In the next place I would fain understand, when, and by whom the Kingdom could be, or rather was made, thus subject to the Pope. For I wave at present the want of power in Kings, to do such a thing, if they would, and only enquire which King it was, who can be supposed to have done it. If the suspicion fall on the times of the *Heptarchy*, which Age and want of Writers render more obscure, it is apparent that no Act of any King then, could be binding to the whole Nation. For no King, let him be never so absolute, can bind more than his own Kingdom. But besides, that He, who will recur to those times, may indeed hide himself in their darkness, but cannot strike out of them any light to his pretence, and must speak purely out of his own head, without any warrant or colour from any other Author, so I think 'tis a good argument that no such thing, was then done, because things of less moment, which were done then, are remembered. The grant of *Peter-*

pence by *Ina* of the *West-Saxons*, and *Offa* of the *Mercians*, is recorded too plainly, to leave a suspicion that the grant of a Kingdom could be concealed. While there was exactness enough to take notice of single pence, the Crown sure could not pass by unregarded. If any man fancy want of fidelity in our Historians, might possibly suppress so ungrateful a Truth, let him produce those more faithful Foreigners, who have recorded it. But considering the Zeal of those times, and mighty opinion they had of *Rome*, when the greatest Kings frequently became Pilgrims, and sometimes left their Kingdoms wholly, and became Monks there, the suspicion lyes on the other side, it being more rational to fancy an amplification than suppression of things to their advantage. However such an Alms as a Kingdom could not but make a noise, loud enough to reach even our ears, and had the *Rome's* charity been extended to the Regalities, we must have heard of it, as well as of private houses. By the way, I am not ignorant what Comments have been made on that Alms, but I think it not convenient to lose time in confuting them. 'Tis to give them more credit than they deserve; for he enhances the value of Trifles, who treats them like things of moment.

The memory of passages since the *Heptarchy* is too fresh, and too minute to leave place for suspicion, that a matter of such moment should scape unobserved. And besides there is among the Works of *Lanfranc*, a Letter of *William* the Conquerour to Pope *Gregory VII.* which puts the matter out of doubt. That Pope had the confidence to demand of that King an acknowledgment of subjection, *Fidelitatem* or *Faith*, as the phrase runs; I know not upon what ground. For though I have read somewhere, that the Conquerour, to gain the Pope to his side when he attempted the enterprise, promis'd, in case of success, to hold the Kingdom of the Pope, yet it appears by the Kings answer, that he was mistaken who said so. *Fidelitatem facere nolui, nec volo*, says the King, *quia nec ego promisi, nec Antecessores meos, Antecessoribus suis id fecisse comperio.* So that till the Conquest *England* was free, and that it became subject since, sure no body will imagin. The first Kings of the *Norman* race were men of too great Spirits, and contested with the Pope,

about

about matters of less importance too warmly, to be suspected of giving away their Kingdoms. He that reflects what bustles there were about *Investitures* in the days of *Henry I.* and *Immunities* of the Church in the days of *Henry II.* will find it neither likely nor possible the greatest rights of the Crown should be thrown away, while Princes were so tenacious of the less. It is true that both these Kings yielded at last to the Pope, but with a condescendence so far from any sign of subjection, that there was more of appearance, than substance in the first case, and a great deal of caution in the second, no subjection nor shew of any in either.

The Contrast between *Henry I.* and the Pope was about *Investitures*, the King desirous to continue the custom of ratifying the election of Bishops and Abbots, by delivering a Ring and Staff to the Elect, and the Pope resolv'd to break it. The conclusion was that the Ceremony should no more be used, but so that the King should chuse, or cause to be chosen the person, and receive homage from him that was chosen. *Investituram Annuli & Baculi indulget in perpetuum, retento tamen electionis & regalium privilegio,* says *Will. Malmshury*. Upon the same terms, a few years *In Hen. I. lib. 5.* after the same difference was compounded with the Emperor, in which, if I understand any thing, the same expedient was then used, which is generally observed since, To preserve reputation and Appearance to the Pope, and substance to Princes. For while They had the chief influence in elections, and none could be promoted but by their interposition, the rest was a Ceremony, which might without any great prejudice, be left off. Again, when the persons Elect were by homage to acknowledge themselves Subjects to their Princes, they had as much as they desir'd. Indeed till this point was yielded by the Pope ( for it was a while stiffly stood upon ) no agreement could be made. But after, Peace soon followed.

The quarrel of *Henry II.* was about the Customs of *Clarendon*, in which the chief point was that of *Appeals*. This point the Pope gain'd of the King, yet with this caution, that the Appellant should give security to attempt nothing to the prejudice of King or Kingdom. It was now a time,

if ever, for the Popes supreme Lordship to appear. He was in the humour of asserting, at least, all that belong'd to him. The World was incens'd against the King for the foulness of the late murther, and ready to take the Popes part. The King found it necessary to buy his peace, even at the rate of pretensions very dear to him, and for which he had long and earnestly contended. Had the Pope been supreme Lord, he would hardly have scaped so good cheap. Murther and Sacriledge might have cost him the whole Kingdom. For feudatory Lands are forfeited by great crimes. However this supreme Dominion must needs have appeared in the transaction. The King was not in case to refuse any thing due to the Pope, who yielded up what till then he thought not due; and besides the tenor of the agreement must have been quite different, and drawn in terms us'd betwixt Vassals and Lords. But instead of an acknowledgment of this nature, all the disadvantage the King had in treating, could not prevail with him to acknowledg the Pope so much as Pope, longer than the Pope should acknowledg and treat him as King. So that by the favour of the Cardinals *Abs*, this King left the Crown as free as he found it, nor can the King be yet found out on whom the suspicion should fall, of having made it subject.

If I am not much mistaken, the Popes in those daies were of a judgment very different from that which *Baronius* has taken up in ours. For how can the conceit of a Vassalage in the time of this King consist with what hapned a little after in the reign of K. *John*? Neither could K. *John* make *England* tributary, if it were so before, neither could the Pope desire he should. Besides disobedience in a Vassal, and, what is more stubborn contrasting with a supream Lord, especially when that supream Lord is the Pope, would sure have been thought as great a crime, as refusing an Archbishop made without his privity and against his will. Why was not this laid to the Kings charge and called Rebellion? When the severity of the proceedings against him, perhaps needed all the colour, which could be laid on. Without all doubt, the Pope when he had the King at his mercy, would never have been contented, with the bare acknowledgment

ledgment of subjection, if he had known subjection was due before. He had prosecuted the King to the utmost extremity: Interdicted the Kingdom; excommunicated his Person; and at last deposed, and set the power of *France* upon him. It is not possible he should take for sufficient satisfaction for faults, which in his judgment deserved all this rigor, a confession that his own was his own, and a gift of what was his before. But the Kings resignation made amends for all, and cleared scores so fully, that the Pope ever after was fast to him, and heartily took his part in all his necessities. Then and not before, Popes assumed the liberty to term the Kings of *England* their *Vassals*; which is a plain acknowledgment that they understood this submission, and nothing else; authoriz'd them so to do. Agreeable to this were the outcries remembred by *M. Paris*, *Hen Anglia*, *Ad an. Anglia*; *hactenus Princeps Provinciarum facta es sub tributo*—1216.  
*ut Terra tua ab antiquo libera ancillaret excogitasti—factus de Rege liberrimo Tributarius, firmarius, & Vassallus servitutis, &c.*  
 'Tis evident the novelty of the Kings submission put these complaints into the Peoples mouths, and that no such thing had formerly been heard of.

To conclude, commend me to this fiction of *Baronius* for an example of zeal not according to knowledge. To speak without proof in a matter of this consequence, is pretty well of it self. But to want proof where the nature of the thing must needs afford a thousand, to fancy the Tenure of a Kingdome, could lie conceal'd I know not how long, and at last be discovered by his either pains or luck, to be quite contrary to what was apprehended by the rest of the world, which could no more be ignorant of the Tenure than of the Kingdom; to imagine *England* subject when no person can be imagined who should subject it, nor time in which it should become subject; to say nothing of the manifest inconsistency of his story, and contradiction to palpable evidence: These are strains which as I admire in him, so I hope not often to find elsewhere. And for *Blesensis*, either he knew not what he said, or, which is more likely, those two periods have by chance or fraud crept into his writings without his privity. In fine, he is no good *Englishman*, who does not acknowledge that the Kingdom of *England* is,



is, and at all times has been, free, and subject to none but God; A Declaration made both with particular reference to the Pope, and by those who acknowledged his Authority in Spirituals.

And so we are come at last to the point of greatest difficulty, both of its own nature, and by the smartness with which 'tis prest, the Fact of K. John. Our Author, not to leave the wound he makes without cure, assigns us *Prescription* for a remedy. You have not an entire confidence in this plaister, and I must confess I cannot blame you; nor that I think it bad, but I like better to be sound, and need none. Most points of Law, and this of *Prescription*, as well as the rest, are full of learned Quibbles, and I do not love to trust our security to a *moot case*. The rights of Kingdoms are of too great consequence to depend on the *Tricium de Lege*. For what if some fiction of Law be pretended against our *Prescription*? What if the Pope, by some Act or other of which we never had intelligence, have continued a *Legal*, or *Civil* possession, all the time of our *Natural* possession; and so interrupted or voided our *Prescription*? It is not safe, in my opinion, to venture our whole stock in a bottom which possibly may prove leaky. Wherefore though *Prescription* may do well enough, yet while we have, in my judgment, a better game to play, I think it best, as you say, to play surer.

Of the Considerations propos'd in this matter with great sharpness by our Author, I take these to be the most material. That K. John past this grant when he had undoubted right to the Crown without any Competitor, his Nephew Arthur being dead before: That this right of his was then unconfined, *Magna Charta* not being yet framed, nor any power communicated to Barons, or People, or Parliaments, for intermeddling in the succession: And that however the Deed was confirmed by his Barons, who were they alone that then had any thing to do in the greater affairs of State. On these, because they will decide the Question, I shall insist more largely, and endeavour to shew He is mistaken in all three.

First for the consent of the Barons, although this clause *Communi Consilio Baronum nostrorum* be inserted in the Charter, yet nothing can be more apparent, than that in truth there

there was no such thing. It was so far from this, that there was an express dissent. For *Stephen Langton* Archbishop of *Canterbury* protested solemnly against it, and this publicly at the high Altar before all the company, and in the name of the whole Kingdom. This protestation of his was averred to the Popes face, and that in full Council, by *Will. Powick* or *Pomevick*, one of the Embassadors at the Council of *Lyons*, whither he was sent to complain in behalf of the Kingdom. I think it will not be denied, but the Clergy in those dayes had at least as much influence on publick affairs, as the rest of the Nobility; and that there could be no common consent, where the Head of the Clergy publicly dissented. Especially considering that this protestation was not made for himself only, or his Order, but in the name of the whole Kingdom. For it can hardly be, that he should arrogate to himself to act in the name of the Kingdom, without the privity of the rest, and consent of so many at least as might keep his Act from appearing ridiculous. But that the rest of the Nobility were as far from consenting as the Clergy, is not left to guess. Their sense is manifest in the next words of *Powick*, *In quod tributum nunquam Patres nostri consenserunt, nec aliquo tempore consentient*, as *Mat. Westm.* relates them, or according to *Mat. Paris*, *In quod nunquam Patres nobilium Regni, vel ipsi consenserunt, nec consentiunt, neque in futurum consentient*, &c. This was said in circumstances incapable of the suspicion of falsity. The man who spoke was an Embassador, commissioned to speak for the Kingdom. He spoke to the Pope himself, in a full Council, and while the memory of things was yet fresh, and if he had not said true, might have been convinc'd by every body perhaps in the company. But neither the Pope himself, who certainly knew the truth, and was most concern'd in it, nor any body else had anything to say against it. Besides even in the daies of *K. John*, the *K. of France*, and his Son *Lewis*, when *Walo* the Popes Legat would have diverted them from their design on *England*, by representing that the Kingdom held now of the Pope, maintained both to his face, that *K. Johns* grant was void, and this among other things, because *there was no consent of the Barons*. It is not possible they should so confidently

*Cui etiam  
manifeste  
contradi-  
cium fuit,  
ex parte  
universi-  
tatis  
Regni re-  
clamatum,  
quod talia  
nullo mo-  
do facere  
posset  
per eos ve-  
nerabiles  
Stephani  
Can. Ar-  
chiepisco-  
pi, quo non  
erat tunc  
major in  
Regno,  
&c. M.  
Westm.  
ad an.  
1245.  
M. Paris  
ad an.  
1245.*

*M. Paris  
ad an.  
1216.*

fidently avouch this to one who could not but know the truth, unless it had been notorious and undeniable even by *Walo* himself. Wherefore, it is manifest that the clause above mentioned was inserted for forms sake, without truth, it being not more known that there was a Charter, than that it was made without the consent of the Nobility. What the consequence of this is, will fall into consideration by and by, when we have discours'd of what remains.

The next point is, that *K. John had an undoubted right to the Crown when He past this Deed*. Suppose he had, what then? Right to wear the Crown, and Right to give it away, are very different things, and very far from inferring one another. He urges, that *the Regal power in disposing of the Crown was the same then, as at the conquest*. That *the Conqueror both receiv'd the Crown by gift from K. Edward, and dispos'd of it by Testament*. That *although K. Edwards gift should pass for invalid, yet the very title of Conquest was sufficient for an Arbitrary power of disposing it, the very grant of Magna Charta from the Prince to the People being a plain Argument, that at least the power of our Norman Princes was originally arbitrary and unconfin'd, till themselves were pleas'd to restrain it by voluntary compacts, and concessions, which hapned not till after the fact in question*. Thus does our Author discourse, with a Tide of smartness, threaten Shipwrack to our liberties which way soever we steer. To deny an arbitrary right in the Conqueror, seems to question the *right* of his successors: To grant it, seems to confirm the *Deed* in question, and expose us to the mercy of the Pope.

Before I answer particularly, I take leave to suppose, not because it cannot be prov'd, but because no body will require proof of what every body acknowledges, That rights questionable in their origin become unquestionable in tract of time. The *Goths* and *Vandals* broke into the *Roman Empire*, and mastered a great part of it with a known violence, but unknown Justice. Should ear be given to the exceptions which might be made against their Title, and the right of their posterity, and all who hold under them, questioned till the right of the first occupants were clearly made out, the world would be embroyled in inextricable confusion, and suffer little less from our disputes than their Arms.

Few

Few either Princes or private men, would enjoy their Estates with a safe Conscience. The bonds of Obedience would be broken, the security of Life and Fortunes taken away, and the Ligaments of human society dissolv'd. These things are so evidently contrary to the good of mankind, that speculations, which would infer them, are evidently contrary to reason. Speculate what you will of Justice, it is most certain that to ruin the world is a most unjust thing; or, if you will criticize upon the notion, at least irrational, and wicked, and intollerable. Wherefore whatever were the origin of establish'd Powers, when they are establish'd, and by long continuance become necessary to the quiet and security of mankind, they are most certainly just, and to question them is madness in all, and Treason in Subjects. To examin by what means this comes to pass, how true Right is acquired in Time, and even bad Titles become good at last, I conceive an Argument too high for me, and besides see it needless to meddle with it. For while the thing is universally acknowledged, and cannot be deny'd without extream mischief to the world, the labour of enquiring more particularly into it, may be dispenc'd with. Two things I take to my present purpose, which I suppose none will deny me. 1. That the Right of succeeding Kings cannot be questioned on pretence of doubt, nay if you will, defect of *right* in the proceedings of such as have reign'd so long since as the Conquest. 2. That *Power* and *Right* being manifestly two very different things, it follows not, that because things were then done which ought not be questioned now, I mean with prejudice to Posterity, that they were therefore well done, and according to *Right*.

To speak now particularly to what is alledged, It is true that the *Conqueror* had, or pretended a Gift from *K. Edward*, I suppose to have something to say. But 'tis apparent that, not *K. Edward's* gift, but his own sword gain'd him *England*. The *Ratio ultima Regum* was his only answerable Argument, and had *Harold* got the Victory, and preserv'd the Kingdom, he would have preserved *Right* enough to it, notwithstanding the Gift of *K. Edward*, and as much *right* been acknowledg'd in his Successors, as now

in those of the *Conqueror*. It is true also that the *Conqueror* did dispose of the Kingdom to the prejudice of his eldest Son; but 'tis likewise true, that Duke Robert did claim, and put for the Crown, notwithstanding his Fathers Testament, and had he prevailed, had transmitted a Right to his Posterity, which by this time had been unquestionable. These are matters purely of *Fact*, of which kind there are innumerable in History, but from which, according to the maxim that *Fact does not infer Right*, no Argument can be drawn. What the *Conqueror* did, He did by the power which his Conquest gave him; success and length of time has established, what depends on his actions, into a firmness which admits of no dispute. But this concludes not that all he did was just even in him, and much less that the same Actions are justifiable in his Successors.

As for what is next urged, *That Conquest sufficed for an arbitrary Power*, it is undoubtedly true; for he did arbitrarily dispose of things as he pleased. But that his Conquest gave him Right so to do, or transmitted such a Right to his Posterity, is not to be admitted without very good proof. It is universally agreed that Conquest gives right only where the War is just; which I think signifies, that his Conquest gave him none at all. For the War is not just, unless he have a good Title who makes it, and if he have, Conquest only puts him into possession of what was wrongfully with-held, but his Right is antecedent to, and independent of his Conquest. Indeed where the revenge of some collateral wrong, or other cause, put just Arms into the hands of any Prince, there what he gains is thought justly his own, by virtue of his Conquest. But this is not our case. The only cause of this War, was because *Harold* with-held the Crown, to which if the *Conqueror* had a just Title, that which made it so gave him his Right; if he had not, the War was not just, and Conquest could give him none. Whether his Title were good or no, is a dispute in which I am not concern'd, it not importing much to our times to know what was just in those. For whether his Title were just, that of his present Successors is not a jot the better, nor a jot the worse, if it were stark naught. Wherefore I positively deny the Inference imply'd in our

Author's



Author's discourse, the Conqueror did arbitrarily dispose of the Kingdom, therefore K. John justly might, because that Arbitrariness of his does not conclude he had *Right*, so much as to the Crown, and much less to dispose as he pleas'd of it.

It is farther urged, That the very granting of *Magna Charta* from the Prince to the People, is a plain Argument, that at least the power of our Norman Princes was originally arbitrary, and unconfin'd, till themselves were pleas'd to restrain it by voluntary compacts and concessions. And this, as the former, is true of Power, but I cannot grant it of *Right*. The Fact is interpretable both ways, and may as well argue *Right* in the People to the things granted, as in Princes to grant them. And if Justice required that such things should be granted, the Power, which till the grants were past, hindred the People from what it was fit they should have, can hardly be thought just. The Truth is, this difficulty would ask rather a Treatise, than a Letter. The Notions of Power and *Right* would be explained and settled: It would be shewn how *Right* is acquired, and how lost: How the Freedom of Nature is changed into subjection; why, and how far, some command, others obey, and in vertue of what, with twenty other Considerations, necessary enough to clear the difficulty, as it ought, but too long for a Packet.

To say briefly as much as may serve turn; I observe that we use these words: *Just* or *Right*, as all others, in different senses. We call him a Just man, who gives to every one what the Law makes his due, in which sense the Law is the Rule of *Just* and *Unjust*; *Just* meaning as much as agreeable, *Unjust* the same as contrary, to Law. But sometimes we apply the same Terms to Laws themselves, and say some Laws are *Just*, others *Unjust*. As if Marriage, or the propagation of posterity, were universally forbidden, or every body commanded to cut off their Legs or Arms, such Laws would be thought, and called *Unjust*. In this case the notion of those words is very different, from what it was before; *Unjustice* now signifying opposition, not to Law, which cannot be opposite to it self, but to something else, which the Law-makers had in their eye, when they made a

just Law; and which was their Rule; and directed them to order what they did; and not the contrary. If we reflect what this is, we shall find that *Just* and *Unjust* are said with reference to the nature of man. For other things being made for his use, are not alwayes to be dealt with, as is most fitting for them, but as they may best serve him. But man must be used as his nature requires, and if he be not, we say he is wronged. I conceive therefore that the Root of Justice lyes in the nature of man, and that the consideration of what is fitting; or unfit for it, is the original Rule of Just and Unjust. To descend to more particulars, and dispute how far one man may justly be hindred from his particular good; for the greater good of the society in which he lives, with the rest of the Considerations which belong to Law-makers, is not to my purpose. It is enough if I observe that *Just* signifies *radically* Commensurate, or Fit, *generally* implies Agreement, which Agreement is supposed to be made on sight of what is fit for both parties agreeing. So that antecedently to Laws, which are, and ought to be in practice, at least betwixt members of the same Commonwealth, look't on as the only Rules of Justice, there is a proportion or exigence of Nature, with respect to which some things are Just, others Unjust, and so which when Laws have not an eye, they themselves are thought not Just. And this explication I take to be, not only true, but universally acknowledged. For if positive agreements be thought absolutely necessary to the notion of Justice, I know not how that notion can be found in the Laws of Nature and Nations, which are the highest and most binding of all others, and yet are before, and manifestly without agreements.

To apply this to our case, I consider that Government has been embrac'd for the good of the world, to avoid the mischief of lawless humors destructive to society, and that the Good of the Commonwealth is, or ought to be, the Princes Rule, from which when he swerves, his Action is not Just, because unproportioned, and not suited to that exigence of Nature which is the root of Justice; yet it does not follow that a Prince every time he does unjustly, may be resisted. That is another, and at present, unconcerning Question.

I consider farther that nothing can more import the good of the Commonwealth, than the Government themselves. For they are the main hinges on which the common good turns, and the Fountains from which all good flows to particulars. If these be such as may endanger long settled Laws, and Customs, and render the properties of Subjects uncertain, and unsecure, the Commonwealth waies totters, and often falls. But all this will unavoidably follow, if the nomination of supreme Governors be left to arbitrary pleasure. They may be strangers, and through ignorance unable to preserve national Laws; They may be enemies, and through ill affection studious to break them. In fine, to fancy that any thing can be more against the common good, than to want known rules of succession, and that a Nation should be bound to obey whoever is flamed by chance or humor, is to fancy there may be some member more considerable to the Body than the Head.

If this discourse be good, it may be understood how the Arbitrary power even of Conquerors, may be bounded, other wise than by their voluntary Compacts and Concessions, namely by nature, and by the proportion of their Actions to the Subject on which they Act. It is true that antecedently to compacts, their Actions cannot be called *Unjust*, *Unjust* signifies breach of agreements: but as *Unjust* signifies breach of proportion, and the violation of what nature requires, They may be *Unjust* even before they bind themselves by compact to observe this proportion. This now I conclude is our Case, and that since the good of the Commonwealth is the Rule of the Princes Action, and that tis plainly against that good that their supreme Governors should be appointed arbitrarily, the arbitrary dispositions of the Crown mentioned by our Author were effects more of Power than Right. I think himself will grant, if those Norman Princes were unconfin'd, till they voluntarily confin'd themselves, that twas at least reasonable and fit they should be confin'd in this point, and sure, Power to act unreasonably, and unjustly, is not what the world means by Right. Right to do ill, sounds very like Right to do wrong, and is in this case neither better nor worse. For if arbitrary placing of Governors be against the

the good of the Commonwealth; and *Right* or *Just* signify as much as *Fir*, or *Good*; and that as at present it must, with respect to the Commonwealth, there is a *Right* in the Commonwealth which requires their Princes should not be set over them arbitrarily; and those arbitrary dispositions of the Crown were manifestly against *Right*. And yet perhaps it is enough that they were unreasonable, and unjust. For unreasonable Actions are no more to be drawn into consequence than unjust ones; and peradventure bind no more, where collateral considerations do not give them a strength, which they have not of themselves.

I have alledged these considerations more to hint what may be said, than because I think nothing else can. For after this, it may with truth be maintained, that the power of the first *Norman* Princes, and of the Conqueror himself, as well as the rest, was actually confined; and in the manner our Author would have it, by voluntary Concessions, long before *Magna Charta*, and the establishment of those liberties to the subject, which he supposes confine it now. They all took Oaths at their Coronation, and bound themselves to the observation of Justice. If an Oath do not bind a Prince, an Oath deliberately and solemnly made in the face of God and Man, in a matter too mainly concerning the good of the Commonwealth, for whose security he gives that Oath, and which he accepts as full security, there is no talking of Confinement upon him, of security to a Commonwealth, of Laws, and Obligations, and Compacts; but all must be left to the arbitrary unconfin'd pleasure of one man: a Position, which, in the Freedom of this part of the world, I suppose will not find much entertainment. However it is the strength even of *Magna Charta* itself, which cannot confine a Prince, if his Oath do not first confine him to observe it. Now who swears to render Justice, undoubtedly swears to render Justice to the Kingdom in the first place. For the concern of the whole, is the concern of all particulars, every one being as much, and perhaps more, interested in the Rights of the Kingdom, than in his private pretensions. If any man doubt of this, I suppose no *Englishman* at least will doubt but that he is to acquiesce to the Judgment of Parliament.

Parliament. And it is positively declared by Parliament, 40 Ed. 3 that the Fact of K. John was contrary to his Coronation Oath, in which nevertheless for ought I can find, there is nothing more, than general expressions of rendering Justice. However it be, since it is a judged case, that K. John broke his Oath, in his arbitrary disposition of the Kingdom, it is a judged case, that his Power was confined in that particular, and this independently of *Magna Charta*, and all subsequent Compacts. And if his, then sure of all the rest, for they all swear as much as He.

But if any man will continue stiff in this opinion, and believe nothing able to confine the arbitrary power of Conquerors but their own Concessions, I would entreat him to direct me to that Concession which has confin'd their power in this point, besides their Coronation Oath. I do not find either in *Mag. Charta*, or any where else, any Article concerning the disposition of the Crown. Learned men may know more, but my Ignorance perswades me, that if the *Norman* Princes had such a Right, and that Right can only be restrained by voluntary Concessions, and those direct to the point, their Successors have it still. And 'tis not easie to be perswaded otherwise, till the Concession appear. But this no Englishman can either say or think, nothing being more notorious than that it cannot be done now. Whoever will take the pains to examin how it comes to pass, that this original power is now restrained, will not easily be satisfi'd, if nothing else will satisfie him but a direct Concession. I believe he will be forc'd to confess at last, that such a Concession is neither extant, nor needful, and acknowledg that Power is bounded as truly and as strongly by Nature as Grants.

Upon the whole I conceive there may in the first *Norman* Princes be considered the Power of Conquerors, and Right of Kings. That their Power was unconfin'd enough, but ought not be drawn into Precedent, although it be against all Reason and Justice to question now those effects of their Power, which remain among us even to this day. For these have strength, not from their Power, but from what is able to turn Unjust into Just, as Titles, originally bad, become good in process of Time. That even their Right

was



was confuted; the very notion of Right implying limitation. For Right signifies proposition of the Action to the Subject. In this case an unconfined Right is not Right. That their Right was confined in this particular by the good of the Kingdom, as has been discours'd before; and though it had not Right to what they did, is very far from inferring Right to what *King John* did: the two remarkable precedents, mentioned by our Author, being so remarkably different from this case; that they can be no Precedents, nor warrant for it.

*William Rufus* reigned after his Father, and excluded his Brother, in truth by the favour of the Kingdom, yet claiming by his Fathers Testament. That claim may be allow'd, without allowing *King Johns* resignation. For in the Conquerors fact there was no more, then of two sons, both fit, both equal to the Kingdom, to prefer whom he thought fittest. The Laws and Liberties, and condition of the Kingdom was the same under either; so that apprehending in likelyhood no greater interest in the business than whether their King should be called *William*, or *Robert*. They approved the Fathers choice; and willingly obey'd whom he appointed. But *King Johns* Fact was quite of another strain, A Stranger, and such an one who could never become a denizen, one taken up with other cares, and dwelling too far off; to be ever able to act as was fitting, for the good of *England*; was made the supream Lord; and which was worse, the Tenure of the Kingdom altered, and of free turn'd into subject. The Kingdom was sensible of their Interest in the business, and disclaim'd the fact; both then and ever since. I am mistaken if Reception of Laws, be not generally held a very material consideration to their validity. But the cases are otherwise so apparently different, that a Right in the Conqueror, to dispose of the Crown as he did; may safely be granted; without any necessity, or colour, of allowing in consequence a Right to *King John* to dispose of it as he did.

If *Henry I.* succeeded in vertue of the same Testament, his case is the same with the former. But this Gentlemans information was better than mine if he had other Title than Election, at least till his Brother consented, as he soon did,

did, the same title which K. *Stephen*, and after him K. *John* had to the Crown. I should think their Examples a very good Reason, that the proceedings of those times are not to be drawn into consequence. For if they may, it will follow that the Kingdom of *England* perhaps is, at least has been *Elective*. Which I suppose no Englishman will admit: if they may not, I know not to what purpose they are alledged.

For these reasons I am perswaded nothing can be drawn from the proceedings of the first *Norman* Princes to justify the *Resignation* of King *John*, which is so far from being binding to our times, that it never had any validity at all. But not to leave the matter disputable betwixt my No, and the Yea of who will maintain the contrary, I will fairly put it to Judgment, and say, whatever was done, and by whatever right, about the times of the Conquest, that K. *John* in particular could not validly do what he did; and that this has already been decided, and in such manner, that there is nothing so firmly settled in the world, which may not admit of question as well as this. In the reign of *Ed. III.* the Pope demanded the long unpaid one thousand marks granted by K. *John*, and threatned by legal process to recover this rent. A Parliament was called chiefly for this business, and it was unanimously resolv'd, That neither K. *John*, nor any other, could bring Himself, his Kingdom, or People into such subjection, without their consent, and against his Coronation Oath. And that in case the Pope should by process or otherwise, attempt to constrain the King or his Subjects to perform the premisses, They would become Parties, and resist him with all their Power. This is plain and peremptory, and directly to the point. I cannot but muse to observe them speak doubtfully of the matter of Fact, and the more because Sr. *Tho. More* very positively denies the Church of *Rome* could in his, or any time, produce such an Evidence. When I consider He was a learned man, and no Enemy to the Pope, had great means of being well acquainted with Records, and passages of former times unknown to others, and speaks as if he had good ground for what he said, I hardly know what to think of it. I wish he had inform'd us what his grounds were; peradventure there is more to be said than

Rot Parl.  
40 Ed. 3.

Supplication of  
Souls.

we are aware of. But since he has not, and the Parliament does not directly deny the *Fact*, I for my part must be contented to take things at the worst, and not deny what I cannot disprove. I have this for my comfort, that if the *Fact* were true, it was in *Sr. Tho. More's* words, *right naught worth*, and the Authority of Parliament to bear me out. By the way our Author in alledging the consent of the Barons, at that time the only representative of the Kingdom, speaks against a solemn Declaration of Parliament, and this undeniable proof may be joyned to what I produc'd before, to make good my denial of their consent. However the Question is positively decided, and by an Authority irrefragable to Englishmen.

But lest we should be suspected of partiality in our own case; let us put it to the Judgment of Forreigners. When the differences betwixt this King and the Barons became irreconcilable, they sought protection from *France*. The Pope sent a Legat to dissuade the *French* King and his Son from meddling with a Kingdom, the Dominion whereof belonged now to the Church. The word was hardly out of the Legats mouth, when the King of *France* reply'd suddenly, *That England never had been, nor then was, nor ever should be the Patrimony of Peter*. And this, besides what he else alledged, because no King could give away his Kingdom without consent of his Barons, an error which if the Pope would maintain; He would give a most pernicious example to all Kingdoms: The Nobility present with great heat justify'd this speech of their King, and declared they would stand for that point to death, *viz. that it was not in the power of any King to transfer his Kingdom, or make it tributary at pleasure*. You see I spoke not altogether out of my own head, when I refus'd to yield an arbitrary right of disposing Kingdoms even to Conquerors, and that I shall not want who will take my part. But to let that pass, it cannot be attributed to the partiality of our either Country or Times, that we hold this Deed of *K. John* null, when it was condemned for such by those who were contemporaries to it, and as much abroad as at home. Who desires more security is in my opinion a very scrupulous man.

Notwithstanding let us put it to the Judgment of the very  
Con-

M. Paris  
ad an.  
1216.

Contrivers of the Deed. I am much mistaken if Themselves had not the same sentiments with the rest of the world. If They did not understand well enough, that the consent of the Barons was necessary to the validity of the Deed, why did they insert that clause, *Communi Consilio Baronum nostrorum*? A thing of this consequence undoubtedly was not carelessly huddled up. Great deliberation was without question us'd, and they would never have put in, what they themselves and every body else knew was false, but that they were sensible All was to no purpose without it. So that, in the hard choice of framing a Draught, either without Truth, or without validity, They had an eye to the latter, and let the first shift as it could. The truth is, They had reason; it being obvious enough, that if they could carry things out at present, the *Charter* it self, as all Records are, would be a strong Presumption, for the truth of what it contains, to Posterity. But since it is as evident, as that there was a *Charter*, that this Clause was untrue, it is likewise evident, that Those who put it in, thought it necessary. Wherefore even in their Judgments the Grant was invalid, as wanting what themselves thought absolutely requisite.

You now perceive of what importance this point is, of the Consent of the Barons, of which I forbore to speak, while I was examining whether they consented or no. Neither do I mean to dilate upon it now: it being enough to observe, that the want of it absolutely invalidates the Grant, and this in the Judgment, not only of the Framers, and of the King and Kingdom of *France*, but of Parliament. For you see They positively declare, that neither *K. John*, nor any other could bring the Kingdom into subjection, without consent of the People, who at that time had none, but the Barons, to consent for them. So that not to acquiesce in this point, is to refuse the highest Authority of the Nation; and who does so is not fit to live in the Nation.

But shall I venture to joyn our Author himself to the rest of this good company, and say, that whatever out of the strength of his wit He alledges on the other side, yet this *Charter* is no more valid in his judgment, than in other folks?

And I do not mean that 'tis become now invalid, by the force of *Prescription*, (for this he has sufficiently declared) but that it was originally and always invalid. Truly I am mistaken if this may not be concluded from what he says elsewhere, when dis-engaged from the desire of making good his Argument, he frankly discovers his true sentiments. Pag. 239. considering an observation made in a former Letter, on the particular *Fact* of the Emperour *Frederick*, he replies, That *whether Supreme Princes may put it into a Forreigners power to compel them (to cession) by a direct deprivation of their Right of Government, is a case which he thinks none will easily grant to be either Just or Secure for the Commonwealth for which they were concern'd.* I conceive that when *K. John* resign'd his Kingdom, and receiv'd it again to hold of the Pope, as principal Lord, to whom he became a Vassal, He put it into the power of a Forreigner to compel him, not only by Ecclesiastical Censures, but by a direct deprivation of his Right of Government. And this he declares to be Unjust, and Unsafe for the Commonwealth. King *John* then, even in his own opinion, did unjustly, and against the good of the Commonwealth, that is, had not Right to do what he did, and his Act was invalid from the beginning. I suppose therefore He will acknowledg on second thoughts, that there are other ways to bound the actions of supreme Princes, besides Compacts and Concessions, and that *Justice* and the *Safety of the Commonwealth*, are two of those ways, in which other Princes were obliged to walk as well as *K. John*, and if they did not, their Actions are not to be drawn into example.

I will hope the Question is resolved to satisfaction. For I know no fairer, nor surer way to end a difference, than to put it to Judgment. And since 'tis judged on my side by an Authority from which there lyes no appeal, and by those who one would expect should be most partial on the other, Those who contriv'd the Deed, and Him who urges it, I should think there is no more to be desir'd. If any mans curiosity reach further, he may find wherewith to satisfy it in those who have already handled this Subject; particularly the learned *Crahanthrop*.

Of the  
Popes  
Temporal  
Monarchy.

But to touch briefly what is more largely treated elsewhere,



where, the *Charter* contradicts and destroys it self, reserving in one place, what it grants in another. There is in it an expresse saving of the Rights given away, by this clause, *Salvis nobis & Hæredibus nostris iustitiis, Libertatibus, & Regalibus nostris*. Nothing can be more manifest, than that the Independency of the Crown belongs to the *Regalia*; and again, that subjection is opposite to Liberty. And yet the *Regalia*, and *Liberty* are expressly reserv'd, at the same time, when the Crown is made Dependent, and Subject. This is just, I give you a hundred pound, which hundred pound I keep to my self. Which is an unvalid and self-destructive Act, and passes nothing, and is in truth a piece of Non-sence, not a Gift. Again, that the *Regalia Imperii* are *Inalienabilia* without consent of the Subjects, is a point settled by a consent so unanimous of all Nations, that there is no Maxim more known. 'Tis very troublesome, and more idle, to fill paper with Quotations, for a point better known than the Author to be quoted.

This too is a receiv'd Maxim, that *Metus cadens in virum constantem* nulls the Act extorted by fear, of which, besides a hundred examples in all nations, some even of Popes themselves, who upon that ground have voided their own Acts, the Pope, to whom this Grant was made, has left a very pregnant instance in the case of this very King. The Barons a little after obtained the *Magna Charta* from him, confirmed by all the security they could devise. The Pope solemnly declares all proceedings void, because extorted by fear. But it is most evident that K. John had no greater cause of fear, when he past the *Magna Charta*, than he had, when he signed the *Charter* to the Pope. Pandolph brought him to it, by exaggerating his imminent danger, the French with a vast Army ready to land, backt with the Ecclesiastical power of the Clergy, and Arms of the Laity, whereof many of the principal were said to have oblig'd themselves by authentick Charters to assist the French. The King yielded, *confusus valde, & mente nimis perturbatus, & videns undiq; sibi periculum imminere*, in the words of M. Paris. Could there be more fear from the Barons alone, than from the same Barons, and French, and Pope too? Or could his fear in one case make his Act void, and signify nothing in the other? So that there is this very

very good reason to believe, that the Pope himself, to whom the Kingdom was granted, judged the Grant nul, because he declared an Act of the same King nul by a less fear, than that which extorted his Grant. This too was understood by those who drew the Charter, and inserted this other clause, *Non vi inducti, nec Timore coacti, sed nostra bona, spontaneaue voluntate.* By which it is apparent that there was more than one clause contrary to Truth, and that more was requisite to the validity of the Act, even in the judgment of the Contrivers, than could be had. Which is that the Act was invalid, as wanting what themselves thought necessary to make it valid.

By this, and much more alledged by divers, the Nullity of that Grant of K. John appears, I think, very undeniably; supposing in him all the Right, which can be supposed in any King of England. But by our Authors favour, what he takes for granted, that K. John had undoubted Right to the Crown, at the passing of this act, is very far from undoubted. A Sister of Arthur's was then living, and long after, in whom the Right of Arthur could not but be. When K. John by his success at *Mirabel* got Arthur into his hands, he made use of the opportunity of his victory to seize likewise upon his Sister *Eliana*, whom he brought into England, and confin'd to *Bristol* Castle. There was another, and I think an elder Sister, but what became of her I know not. In likelihood she died before these times. But this Lady surviv'd her Uncle. The Pope mentions her, among those who had right to the Crown, to the Embassadors of *Lewis*, who sought to justify their Masters title to England, and the French objected against her, what, if it have any force in their Law, has none in ours. For it is a plain case that the elder line takes place of the younger, in the inheritance of the Crown, and no act, or forfeiture of K. John could bar the right of the Children of his elder Brother, who were Heirs, not to John, but Richard, and by John wrongfully excluded. This Lady never married, but liv'd to a good Age, one example of many of the little comfort there is in unsupported greatness. She dy'd in the year 1241, and was buried among the Nuns of *Amesbury*, to whom by permission of Henry III. She gave the Mannor of *Molsam*. Her Right was buried with her, but while she lived, it cannot

M. Paris  
ad an.  
1216.

M. Paris  
ad an.  
1241.  
Ypodig.  
Neufstria  
p. 59.

not be said K. *John* had no Competitor. This being so, all pretence from K. *John's* Fact, is cut up by the roots, there being not so much to be said for it, as that himself had *right* to what he gave away. And yet for my part I think, if he had had a Right as unquestionable as our Author supposes, it is equally unquestionable that his gift was no more valid than if he had had none.

Whether I have acquitted my self of what I undertook, and shewn the three material points of our Authors discourse, *viz.* *Consent of the Barons, undoubted Right, and unconfin'd power* in K. *John*, are all mistakes, I am not to be my own Judge. It is the readers right, and to him I leave it. To pass farther, and examine what else is urged, seems needless. When the Root is dig'd up, the Branches may be let alone; and I am far from taking pleasure in contradicting, especially a man whose Learning and Candor I esteem. Yet, because peradventure to neglect what he says, may shew more unhandfom than to dissent from it, I shall briefly deliver my opinion of the rest.

In the next point, *viz.* That *the Popes Title was the more confirm'd by his uninterrupted Practice*, I think He is mistaken too. 'Tis true, that Henry III. did at his Coronation take an Oath of Fealty to the Pope, the same which his Father had taken before. And there was a very pressing necessity, which oblig'd him so to do. *Lewis* Son to the King of *France* was in the Bowels of the Kingdom with a strong Army, and many of the Nobility took his part. The King was a Child, unable to do any thing for himself, and forc'd to depend entirely on those who would assist him. Among these the Pope was the most considerable, whose Legat was with him, and with unweari'd earnestness laboured for his Interest. It was not for him, in such a conjuncture, to break with the Pope. For it was evidently to ruin himself. So that 'twas wisely done of his Council to provide for the greater danger first, and leave the rest to time. It is true also that King *John* made use of this subjection, to annul his concession to the Barons. But it does not therefore follow there was no Interruption. The Archbishop of *Canterbury* protested at very first, and in the name of the whole Kingdom; the Barons refus'd to submit to the Popes

Popes sentence, and stood to their obtain'd Concessions notwithstanding his Excommunications; the *French* rejected his claim with great ardor; solemn opposition was made in the Council of *Lions*, both by King and Kingdom, in the reign of *Henry III.* succeeding Kings positively deny'd all marks of subjection, and were abetted by unanimous consent of Parliament. A Practice so much oppos'd I think cannot be called uninterrupted. Opposition sure is Interruption, or at least as good. For the the act of one part, can never confirm a practice. The Pope may do what he pleases, but unless the Kingdom do something too, his Title will never be confirmed. It may be said that the Tribute was paid by *Henry III.* suppose it were, what is this to the Kingdom? *Henry III.* could not be hindred from disposing of his own, and paying what, and to whom he pleased. But his Act cannot be thought binding to the Kingdom, unless the Kingdom consented; And the Kingdom was so far from consenting that it positively dissented. Wherefore the practice being urged as a Title to the Kingdom, it seems very plain, that this Title was so far from being *more confirm'd*, that it was not confirm'd at all, nor could be, by any practice of the Popes, unless the Kingdom had concurred to it.

The next point that *the Pope never solemnly devoted himself*, I conceive not to purpose. For if his Title were never good, 'tis no matter whether he ever disclaimed it or no. And yet, if the Author of the *Eulogium*, said to be in the *Cotton Library*, be of any credit, this too may be deny'd. For he expressly says, that in a Parliament at *London 1214*, where the Clergy *cum tota laicali secta* were present, the obligation was, by the Popes command, wholly releast. For my own part I must confess, I know not how far this Author may be trusted, not finding any mention of so remarkable a passage any where else. But though his credit be obscure, this is clear, that if *K. Johns Act* were invalid of it self, there need'd no Act of the Popes to make it so. And I take it to be no less clear, that it was invalid, and that we may spare the labour of inquiring, whether the Pope ever gave away, what he truly never had.

The last thing urged is that *the Pope admits of no Pre-  
scription*,

*Prescription*, which if it be true, the less reason have we to put our selves upon that trial. But I think it is not true. For the Canon Law allows *Prescription*, and that against the Church of *Rome*, as well as any other. Only by way of Priviledge more time is required to bear her Plea, than others. But I have already declared, I like not to enter into that dispute. It depends on Law, a study which the Interests and Passions of men have embroyl'd with so many intricate perplexities, that 'tis little better than a labyrinth without a Clew. Nothing in my opinion is more fruitless, nor perhaps more dangerous than to submit the Rights of Princes to disputes, where there will be alwayes something to say, and not half of what is said, understood, but by men of the Trade.

Besides there is another Consideration, which to my Judgment, absolutely excludes this Topick. *Prescription* is a Plea establish'd by the Civil, and Canon Laws, which appoint the cases, the persons, the times, and all conditions of it. Who has a Suit depending in a Court, where sentence is pronounc'd according to those Laws, may be concern'd to study the nature of it, but with us, where neither Law is in force, it seems wonderfully from the purpose to amuse our selves with it. What have we to do, to examin whether our Possession have all the conditions required to *Prescription* by those Laws, which themselves signify nothing? If they pronounce sentence for us, we are not a jot the better, and if against us, not a jot the worse. *England* is a Country Independent of Forreigners, and govern'd by Laws and Customs of her own. What Emperours and Popes think fit to establish among their Subjects, concerns us no more, than what we do concerns them. By our Laws the Grant of *K. John* is void, and has been positively declared so by the highest Tribunal among us, and from which there lyes no appeal. After this to put our selves upon the trial of *Prescription*, seems a kind of submission to forreign Laws, a kind of confessing the point, and acknowledgment of a superiour Power.

Again, the Law of *Prescription* is, as other Laws, made for avoiding confusion in the Commonwealth, and securing the properties of members belonging to it. That



Commonwealths themselves are alwayes subject to the same Laws with their members, I cannot easily understand. The case of *John a Nokes* and *John a Stiles*, is different from the supreme Lord of *John a Nokes* and *John a Stiles*. It is true that generally Crowns are inherited by the same Rules with private Estates. But sometimes it happens otherwise, and 'tis the Interest of the Commonwealth, that what is not allow'd in one case, should be in another. The Crown of *England* has a privilege above all Estates which hold of it. For it takes away all defects; and this, whatever be in other places, is Law with us. I know not how idle time can be spent more idly than in unridling what is subtly proposed by the Sphinxes of Laws, with which we have nothing to do, while we have Laws of our own, whose meaning we know, and to whose authority we must and ought submit.

Notwithstanding, if Issue were joyn'd upon this point, I think there is no reason to doubt of the sentence. The Conditions required to a valid *Prescription* by those Laws, are *Possession*, continu'd all the time determined by Law; a *Title* probably presum'd; and a *prudent Perswasion*; that the thing in question belongs to the possessor, or at least to nobody else, which they call *Bona Fides*. Now that the Crown of *England* has been in the possession of those who have worn it, neither is, nor can be doubted out of *Bedlam*. That this possession has lasted much longer, than any time required to *Prescription*, is as plain as the former. A hundred years is the longest time allow'd in any case, and bars the claim even of the Church of *Rome*; And, which peradventure is more properly the case, forty prescribes against a supreme Prince, if there be a *Title*, but *Time out of mind*, whether there be or no. Farther, that the *Title* of our Princes is something more than probably presum'd, and consequently that their possession has alwayes been accompanied with *bona Fides*, is as undeniable as all the rest. So that I think our Author has reason to believe *Prescription* a very sufficient Plea, against the Pope, though I am not of his mind, that 'tis our only one.

But this by the by, and to shew we need not fear fighting in this quarrel, at any weapon. Otherwise, to my apprehension

Lessius  
de Just.  
dy Just.  
lib. 2. cap.  
6. Dub.  
12.

apprehension, it is as rational to talk of the Laws of *China*, or *Japan*, as of Emperours and Popes, with relation to *England*. Local Laws concern only those who live where they are in force; betwixt Nation and Nation there is no other Law, but that of Nations and Nature. And peradventure, if we look better into it, *Prescription* may it self be a Law of Nations. For though it be generally taken in the notion of Civil and Canon Lawyers, and go attended with the train of conditions plac'd about it by them, yet it may as properly signifie the same with *immemorial Possession*. So I think our Law understands it, without any notice of *Title* or *bona Fides*, or any thing else but *quiet Possession*. And so it may be this learned Gentleman himself understood it, which if he did, it is undoubtedly, not only a sufficient, but the best and strongest Plea that can be. It is that whereon the firmness of most, perhaps all, Commonwealths in the world depends, and in which the consent of Nations acknowledges an unquestionable force, and which, for that reason must needs be grounded on Nature. Because Authors commonly take *Prescription* in the other sence, I thought it most convenient to go along with the cry, and speak in their language. So taken, I refuse it for a Judg, not that I fear it should give sentence against me, but because I think it not qualifi'd to give sentence, our case belonging not to the cognisance of that Court. But taken in the other sence, as I cannot refuse to stand to that, on which the security of the world is establish'd, so it is plainly of my side. It being not more known that we are a Nation, than that we are independent of forreign subjection, and have time out of mind continued in the possession of such independency, and in the sight, and with the acknowledgment of all the world about us.

I know not how my pen runs on beyond my design, and without necessity, for much I think might be spared. To make an end, since this *Fact* of K. *John* was evidently giving away what he had no power to give, no not though his right to the Crown had been undoubted, which 'tis plain it was not; since this want of power in him was acknowledged by the very Contrivers of the *Charter*, who were forc't to supply the Defects, of which they were sen-

sible, by Clauses of Form, but evidently against Truth; since the Case is already a judg'd Case, both at home and abroad; since the judgment given at home is peremptorily conclusive, and unappealable; and has besides been confirm'd by a Possession, which to question is to subvert the foundations of Government, and render all Commonwealths unsecure and tottering; I think no man of sense can be mov'd by any thing, which can be said on the Popes behalf in this point. But if so much scruple, and so little reason may be suspected in our Nation, of all men in it the suspicion should not fall on those of our Communion. We have given very good evidence of our sense in this point, by publickly declaring it. For they were of our Communion who made the Act of Parliament, mention'd before, and solemnly resolv'd this *Fall* in particular to be void and null. And they were of our Communion, who in another occasion, declared the Independency of the *English* Crown, and its freedom from all earthly subjection, and this with relation particularly to the Pope. If any one be found scrupulous enough, and mad enough, against all reason, and the judgment of his Ancestors of his own Communion, to refuse to give you all imaginable security in this point, I consent with all my heart you treat him as a man degenerated from the loyalty of his Ancestors, and no company for good Subjects.

It is now time to make a step into *Ireland*, in which though the novelty of strange places be usually full of wonder, yet I do not think to find any thing more wonderful, than this Bull of Pope *Adrian* which you mention. That all Islands, which have receiv'd Christianity, should *compso* belong to the Church of *Rome*, is a thing in which often consideration, as it happens in other cases, diminishes nothing of the surprize. The more I consider, the more I wonder, and as wondring people do, gaze, and stare, and hardly know what to say. I have a great mind bluntly to deny the thing; as I would an incredible story related without proof. Nothing that ever I heard, nor the enchantment of *O Brazile* sounds more incredibly. But *M. Paris* and the rest, who record it, have never been taxed of feigning, and *Baronius* says he found it in the *Vatican*.

*sican*. 'Tis not for me to oppose my perswasion to their credit, though all their credit, cannot hinder it from sounding still incredibly. There are many Islands nearer *Rome*, *Cyprus*, and *Candia*, *Sicily*, *Sardinia* and the rest. If the Pope have a claim, as I think he has, to some of these, surely it is not purely because they are Islands. For to some I do not know that he ever pretended. The Coast of *America* has many very considerable, *Hispaniola*, *Cuba*, and our *Jamaica*, to say nothing of the rest, and nearer at hand the *Canaries* as little as they are, are yet worth having. It is as incredible a thing, as any can be, that *Ireland* alone should be claimed by a pretence common to innumerable others, there being no continent which has not many, and no claim made to any of the rest. *England*, at least *Britain*, is an Island too: How came it to scape, and all this bustle made with King *John*, to gain a litigious, and unmaintainable pretence, to what was clearly the Popes before? Again, why has this pretence never been set a foot before, nor since, in no case, by no body? Were it not for this Bull, it could not be known, there ever was such a conceit in the world, and notwithstanding the Bull, it never entred, for ought I can learn, into the head of any other man.

But whence should this subjection of Islands come? From their receiving Christianity? If this were so, I perceive no difference betwixt Islands, and Continents, that Christianity should not work the same effects in both. For certainly what Christianity does, it does every where. But that Christianity has no such effect, that *non eripit mortalalia qui regna dat cœlestia*, is known and confest, and has been discours'd enough formerly. If such a thing were once admitted of Islands, such another Bull might turn the whole world into one great Island, and all were the Popes without more ado. Or may the famous *Donation of Constantine*, because it has the word *Islands*, ground this pretence? The word indeed is used once, but nothing more is said of them, than that some revenues are granted out of some of them, as well as other places, towards maintaining lights at *Rome*. Besides the *Donation* it self signifies nothing, and if it did cannot be stretcht to *Ireland*, which never

*Ecclesi.*

*E. B. A.*

*post. Pe-*

*tri et*

*Pauli pro*

*continua-*

*tione Lu-*

*minario-*

*rum pos-*

*sessionum*

*predia*

*contuli-*

*mus-tam*

*in orien-*

*te quam*

*in occi-*

*dente-*

*vel diver-*

*sus Insulis.*

*Exc. Pri-*

*vilis.*

*Constant.*

*dist. 96.*

never was in the power of *Constantin* to dispose of. A claim to all Christian Islands can never have its origin from *Constantin*, who was not possessor of, nor to much as acquainted with the hundredth part of them, and yet before the end of the world we hope *The sun of Justice* will shine upon them all.

Truly I am utterly at a loss, and which way soever I turn me, can make nothing of it, unless the *Right*, of which this Bull speaks, be understood of a *Spiritual Right*. Such an one the Pope may claim, and that in virtue of their receiving Christianity, and if he spoke only of Islands, I would think the reason was because, the question being only of *Ireland*, it was not to his purpose to speak of *Continents*. So that I would understand the Bull in this manner: You desire my favour and counsel, in your design upon *Ireland*, which you mean to undertake for the good of the Country in general, and the Church in particular; Islands belonging to my care, as well as the rest of the world: I am glad all the good be done there which can, and so approve your design, and wish you to go on. I know not whether I shall not pass for too bold an interpreter, but I will hope at least, that this is the sense; if it be not, I should be beholding to him who could instruct me what is.

But be it what it will, I am sure a single line, inserted in an old writing, no body knows why, or upon what ground, and never insisted on before, nor since, no not by the most partial Abettors of the Popes Prerogatives, is a sorry evidence by which to claim a Kingdom. The Kings of *England* have held that Country above 500 years, and all that time been acknowledged absolute Lords of it, by all the world, and Popes as well as the rest. No Homage, no Tribute, no Investiture, no sign of subjection to the Pope, has all this while appeared; save in the resignation of King *John*, nothing perform'd on our side, nothing so much as demanded on the other. The world would run into a fine confusion, if such a Title should be questioned, because some words are found in a writing 500 years ago, which no body can understand. Popes have not been careless in their Rights: *England* in some of the intermediate times has



has been even scrupulously affected to them, and a great deal more ready to add to, than detract from their due. It is not possible but, if this Title had been any thing worth we should have heard of it at some time or other, elsewhere than in the Bull. At least in the transactions with King *John*, it must of necessity have appeared. That King was not in terms to refuse any thing the Pope should demand. Had he known of any right to *Ireland*, it had been but saying so: for it was upon the matter, *Ask and Have*, any pretence in that conjuncture would have served turn. And this Bull was not then so old, that it could be worn out of memory. But it is plain that *England* and *Ireland* are both on the same terms in the grant of King *John*, and no right pretended to either but in vertue of that grant. Neither indeed can such a pretence consist with the words of it. Instead of *Offerimus & libere concedimus*, it must have been said, we restore, or acknowledge, or something equivalent by which there might have appear'd not creation of a new Right, but recognition of an old. For that cannot be granted, which is the Grantee's before the Grant, nor does a supreme Lord receive a Fee from a Vassal by way of gift; but obliges the Vassal to acknowledge by Homage, and customary duties that it is so; or if dilute have withheld his duties, and weaken'd his Title, to restore things again to their old condition. This, instead of granting, King *John* should, and the Pope would have made him, have done, had there been any knowledge of a claim to *Ireland* independently of this Grant. So that whatever Pope *Adrian* meant, it is evident his Successors never understood his meaning gave them any right to that Island. Nothing is more foolish, than to catch at words, and interpret the meaning by the sound, when we have Actions, immemorial practice, and custom to guide us securely, and assure us the meaning, whatever it be cannot be contrary to these. Allow that method once, and you leave no stability, even in what the good of mankind requires should be most stable, the settlement of Commonwealths. would I had said so.

In short, if our Kings Title to *Ireland* be not good, there is no good Title in the world. At least I know none establish'd on a surer foundation. And were it the question, believe

believe I could make it out. But we are now enquiring what Title our Kings have, but whether the Pope have any. For which reason I forbear to meddle with the Book you mention, which seeks to overthrow the Title of *England*, not to establish that of the Pope. Only in short I must acknowledg I never read any thing with more grief, nor so much shame. The best is, the Curs't Cow has wondrous short horns. As ill as He means, in my opinion, he does more good than harm. For Truth is well proved, when 'tis perceived it cannot be disproved but weakly. And nothing is weaker than his discourse. What is most material, is directly contrary to History; but his chief business is to bring, as you say, hard names to prove, what is not a jot to purpose when 'tis proved. He casts away the greatest part of his pains upon the Punctilios required to *Prescription* by the Civil and Canon Laws, in Suits betwixt Subject and Subject, and never considers that those Punctilios, and those Laws have nothing to do with the case, and that the Rights of Princes are establish'd upon a higher, and more steady Basis, than local and mutable constitutions. But I have discours'd of this point before, and mean not to trouble you with repetitions, and that in a Question which concerns me not. No better answer can, nor other need, be given to this Book, than what was given in *Ireland*, where *an. 1648.* the *Supreme Council* of the Confederate Catholicks, caus'd it to be burn't at *Kilkenny* by the common Hangman, and the National Congregation too of the *Irish* Clergy ( I mean *Roman Catholick* ) at *Dublin*, *an. 1666.* condemn'd it to the same fate. And for the rest, whoever doubts of his Majesties right, to all and every part of his Dominions, is a Traitor without more ado, and cannot complain if he be us'd like one, nor any body for him.

This answer I conceive may serve for *Scotland* too, with which I shall make short work, believing your Jealousies in that particular are not very pressing. The only stumbling block that I know in this matter, is the letter you cite of *Boniface VIII.* to *Edward I.* in which, with a phrase as unintelligible, as that of *Adrians Bull*, it is said, *qualiter ab antiquis temporibus Regnum Scotia pleno jure pertinuit, &c.*

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huc pertinere dignoscitur ad Ecclesiam supradictam, meaning the Roman. And again, *ex quibus nulli in dubium veniat Regnum Scotie pralibatum ad prefatam Rom. Ecclesiam pertinere.* While I read this Letter, and the Kings answer, I was inclin'd to believe, the meaning of this was, that the Pope as a common Father of Christendom, had right to interpose in emergent differences in Scotland, as well as other places. I observed that he alledges *Debitum Pastoralis Officii* for the reason why he meddles, and respect to his seat and Person, for the motive why the King should yield to his request. Again, the *Ex quibus* whence he concludes this subjection, are because Scotland used not to admit a Legat, not particularly directed to that Kingdom; That the Arch Bishop of York could not obtain sentence at Rome in favour of the Primacy claimed by him over the Scottish Churches; and that the Kingdom was converted by the Relicks of Saint Andrew. These have so little to do with Civil subjection to Rome (and what he mentions besides has a great deal less) that I could not imagine a Pope, from such Premises, could draw such a conclusion. Besides that the King in his answer does not take the least notice of such a sence. But coming to read the answer of the Nobility, to whom the King purposely left that point, I percieve they understood the words as they sounded. I shall therefore give their answer, and make an end. *Your letters being read, say they, tam sensibus nostris admiranda, quam hactenus inaudita in jis audivimus contineri. Scimus enim—nec ullis temporibus ipsum regnum in temporalibus pertinuit, vel pertinet quovis jure ad Ecclesiam vestram supradictam; and again, nec etiam Reges Scotorum & Regnum aliis quam Regibus Anglia subfuerunt, vel subjici consueverunt.* Pursuant hereunto, They would not consent the King should send Proctors, as the Pope desir'd, to Rome, to make out his Title there; nay they declare, They would not permit the King to do it, although he would, it being too great a prejudice to his known Rights to submit them to Trial. If this do not satisfy I know not what will. At least it did satisfy the Pope, who in *Pol. Virgils* words, *statim refrixit, ut scilicet si pertinacius contenderet, ne inhoneste causa caderet,* and never, that I know touch't upon this string more. And it must satisfy all Englishmen. For it was a resolution of

Parliament, or at least of a great Council of the Nobility, which in those days was equivalent.

**I** Am come to the end of your Letter, and I think of writing too. Unless you do something on your side, besides asking questions, painful to resolve, and fruitless when they are resolved, you have my last, (it may be your full wish, my first too;) For I cannot answer it to reason, to continue sowing in barren ground, and believe, while so much trouble is coming on us all, your self would counsel me not to run into more, that of breaking my brains to no purpose. There has been already said, what, I hoped, might have wrought more favourable inclinations towards us. Since the Physick works not, whether by your indisposition, or its own inefficacy, 'tis peradventure to play the foolish, as well as unskillful, Emperick, to go on administering. But yet since Losers have leave to talk, permit me to make use of that liberty, it may be the only one which I shall long enjoy.

As much reason as I have to grieve, yet truly I cannot but wonder as much at your proceedings. Can it possibly be your interest to keep a party alwayes in fear of the Law, and by that fear prompted to wish a change in it? I mistake if it be not the Interest of every Commonwealth, that all the members be heartily concern'd for the maintenance of Law, because it is the main security of Liberty, and Property, and all worldly goods. But in our case the Law, instead of securing, threatens our Liberties, and Properties, and Lives, nor can we be concerned in the preservation of it, without being unconcerned in the preservation of our selves. For my life I cannot imagin by what Policy you are guided, to lay upon never so inconsiderable a party, a necessity so strong as that of self-preservation, to wish an alteration of Law. The sword of Justice should be the Protection, and comfort of Good men, and a terrour only to the bad: and certainly you do not think us all such. I believe our greatest fault is that you apprehend us desirous of innovation. But pray can you with reason blame us, if we desire to live less uneasily? I am very certain, there are none in the Nation, more heartily affected to  
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the liberty and all advantages of it, than we are by inclination, and should more appear by all justifiable actions, if you would let us live with any comfort in it.

Again, can it be for your interest, to force part of the Subjects of *England*, alwayes to depend on Forreigners, by their interposition to seek relief from their pressures, and in return be affected to them, and inclined by way of gratitude to promote their desires? Can it be your interest to oblige us to send our Children beyond Sea, to be bred up to forreign customs and inclinations, and suck in principles which you dislike? To have so much money as they, and so many religious of both sexes require, carried out of the Land, and spent in other Countreys? To complain of Seminaries and increase their number? For if we cannot maintain our Children at home, we must send them abroad, and they are not now to begin to live on Alms, if we cannot send money with them, and that more plentifully than we perhaps should allow them.

But to let these things alone, do you think it for your credit not to do as you would be done by? to gain the imputation of persecuters, persecuters of a Religion profest by most of your neighbours, and of a Church from which you derive your selves? For I hope you do not think to avoid that imputation, because what you do, you do by Law. The primitive Christians suffered all by Law, and by Authority, and yet are thought persecuted, and Martyrs even by your selves. Nor were *Q. Mary's* proceedings without Law, and Law, not made by her for the present occasion, but in force before she came to the Crown. You have reason to reproach her times; but then sure you have the same reason not to bring the same reproach on your own: for burning is not much worse, than hanging and quartering. If you are perswaded Persecution, or if that word dislike you, Punishment for Religion advisable; at least consider that our case is different from that of other dissenters. We changed not from the Law, but the Law from us. We are to the Reformation as Judaism and Paganism to the Gospel, before it. The Primitive Christians, when Authority came to be on their side, never made use of it to work upon the conscience of those, whose per-



swasions in Religion were more antient than their own. They employ'd instruction, and example, and added the allurements of worldly preferment, disposing of places of Trust and Profit only to Christians. But they came not to force. Me thinks you should not condemn the practice of the Primitive times, and use us worse than they thought fit, and I think lawful, to use *Pagans and Jews*.

You might too, in my opinion, consider whether it be for your advantage, to let fall the plea you have so long, and so universally maintained, that you punish, not for Religion, but Treason. When we ask where this Treason lies, the answer alwaies is, that it lies in our perswasions concerning the Pope in whom we believe a power inconsistent with the safety of Princes or fidelity of Subjects. This the person of Honour against S.C. makes the only cause of *jealousy, or suspicion of our Fidelity, which may prove dangerous to the Kingdom, and against which the laws are provided: This the Execution of Justice*; This every body assigns for the Treason laid to our charge. When this is taken away, there remains nothing that I know, but Religion for which we are to be punish'd. I hope I have declared my mind sufficiently in this point, and cleared my self, and those of the same judgment with me, from all guilt of this Treason. If you will notwithstanding punish us, you may if you please, but I am sure you cannot say you punish us for Treason. The laws being as they are, it may shew very strange to pretend favour from them: but yet confiding in the authority of this Honourable Person, who says they were provided against Opinions, which I have disclaimed, and considering the laws themselves mention withdrawing Subjects from their natural Obedience (23. *Eliz.* 3. *7ac.*) as the ground of their severity, I hope it will not misbecome me, to wish you would be more guided by their intention, than Letter. The intention of laws I think is acknowledged their best Interpreter; were the judgment of this Person of Honour of value with you, I should not doubt you would allow some equity in my wishes, for I am sure I am not within the compass of that intention.

But I am not so vain as to appeal to any thing but mercy. As nothing more becomes me to ask, so nothing more be-  
comes

comes you to shew, though truly I think it not more for your Honour than interest in this case. Certainly you would not have these Principles gain strength, against which you testify so much aversion. Why then do you do all you can, to make them pass for Principles of Religion? For while you treat equally those who disclaim, and those who hold them, and put no difference betwixt them and points of Faith, you bid fairly to persuade people that there is none, and that they ought to suffer as much for the one as the other. Methinks your own experience should instruct you, that 'tis no easy thing, to pluck up any persuasions, which are thought to spring from the root of Religion, let them be never so false or wicked, and that it concerns you sufficiently not to let more than are, be thought incorporated with it. If this import you not, can it at least be for your advantage, that those who would comply with you, should be in a much worse condition, than those who will not, and this purely for their compliance? The equality, which you shew, hinders not the cases, of the one and the other, from being very unequal, and the disadvantage of the inequality lies on that side which is inclin'd to you. These are in the worst case of any of our communion. For the rest suffer only from you, these from you and us too.

Pray reflect a little how the world has gone, and goes with those who gratify you in this matter. What was the event of that unwearied constancy which the learned *Wichrington* shew'd in it? He lost his good name, his Friends, all comforts of life, all sweetness of society with those of his own communion, and had not so much as Liberty from you, but liv'd and dy'd a Prisoner. *Walsh* succeeds him, in learning, in fidelity, in constancy, and in all likelihood fortune. He has appear'd so far in this business, that I believe he thinks it not safe to appear in any part of the world where the Pope bears sway: and yet for ought I know has as little security at home as abroad. His Liberty and Life are at the mercy of every informer, it not being in the power of any Judge, before whom he shall be brought, to save him from the punishment appointed for Treason. *Harold* is another who has appeared in this cause with the same success. He lives confin'd in a convent of his own order,

order, in or near *Bruxels*, because he refuses to retract the *Irish* remonstrance, without an express saving of fidelity to his King. This by the Congregation *de Propaganda* at Rome was judged a captious exception, and the man is by the *Interruncio* of *Bruxels* confin'd against his will, and notwithstanding the permission of his own Superiors to retire elsewhere. *Coppinger* and the rest of the regular Remonstrants in *Ireland*, to say nothing of other, and those many and grievous vexations, are either actually banish'd by the late Proclamation against Bishops and Regulars, or live in extreme danger, and fear of being discovered and expos'd to the law by those, who hate them for their constancy to the Remonstrance. And this is the fate of all who gratify you with those testimonies of Loyalty which you are perpetually urging.

Time was when you objected against me, that we had an unintelligible way of Government among us. Permit me to say I can as little understand yours. He was a wise Prince who caused the Oath of Allegiance to be made, with design to distinguish the dangerous Principles, which he thought concurred to the Powder Treason, from others which were innocent. Who can understand, why those, who by that Distinction are found on the right side, should always be in worse condition than those who are on the wrong? Did *K. James* or the Parliament, when they establish'd a Distinction by Law, mean to find out the Innocent, by their distinction, that they might be the worse for their Innocence? To impute Danger and Treason to one part, and punish both, and the not-dangerous, and not-Traitors more? For so they are though not by you. This is the effect of your Distinction, though sure it was never the design. The Act seems made to distinguish the Treason, for which you say we suffer, from the Religion, for which you say we do not. And when all is done, they are not so much as exempt from the punishment of Traitors, who by this Act are exempted from the guilt of Treason. *Withrington* was no Traitor, his actions and writings clear him sufficiently. *Walsh* is no Traitor, on the contrary he has given proofs of Fidelity which few could, and fewer perhaps would. And yet the Law looks on him, and may to day  
or

or to morrow pass on him as a Traitor. Truly it is not intelligible, at least to my dulness, how it should be for your interest, that things should be carried in this manner. This I know, that while they are so, few will comply with you, I mean where with a safe conscience they may. For Hopes and Fears are the main motives, which carry human nature, and 'tis not to be expected people should gratify you, when they have nothing to hope, and more to fear, than when they do not. For my own part I think you very unreasonable to quarrel at me for being conceal'd, and single. At least I am not so unreasonable as to court any man, by joyning with me, to run the fate of *Walsh* and *Withington*, and will avoid it my self as long as I can. I relish not their uncomfortable condition, finding it uncomfortable enough to live in perpetual fear of the Laws: But I declare they shall not take hold on me for Treason; For I again disclaim those positions which you say are Treasonable. More I could and would say to you, if none saw my letters but your self. But thus much I profess to all the world; and besides, that I am

*Your very humble Servant.*

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This

This following Quotation out of Dr. *H. Ferne*, late Bishop of *Chester*, should have been inserted with those other Quotations taken out of Dr. *Stillingfleet*, &c. which you have before at the end of the Protestant Gentleman's Letter, pag. 7. But the Book ( of the said Dr. *Ferne* ) which has it, came not to hand soon enough to insert it there. And yet being so directly and fully to purpose, I would not omit giving it here.

I Believe and do suppose there are some, [Popish Priests] who in the simplicity of their hearts, and out of meer Conscience of Religion, do labour the propagation of it, whilst others more directly are guilty of Seditious and Treasonable Practices. It is my wish there could be a distinction made between the one and the other, that the punishment ( which the Law adjudges all Priests to, that are found within the Land ) might only fall upon them, who are indeed guilty of such practices, which being so frequently found in their predecessors ( and the State being not able to distinguish between them, who are all Missionaries of Rome ) caused those Laws to be made for the security of Prince and State. And if they that come into the Land, without any Treasonable intent, do suffer for it, they must thank their fellows ( as the above-mentioned Seculars do the Jesuits ) whose restless attempts forced the State to forbid them all entrance into the Land under pain of Treason.

To conclude; it is not Religion, nor the Function, nor any Ministerial Act belonging to it, that is punished in Romish Priests, but Treason and Seditious practices, to which Religion, Sacraments, Ministry of Reconciliation, and all that is reputed Holy, are made to serve; and all this to advance and secure the Papal Usurpation. Dr. *H. Ferne* in his Book entitled, Certain Considerations of present Concernment; touching This Reformed Church of England. Printed in London, 1653. Chap. 5. Paragraph 9. Pag. 169,



*The Fifteenth and Sixteenth*  
OF THE  
CONTROVERSIAL  
**LETTERS,**  
OR  
Grand Controversie,

Concerning  
The pretended Temporal Authority of  
*POPE S* over the whole Earth.

And the  
True Sovereign of **KINGS** within  
their own respective Kingdoms.

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Between two English Gentlemen,

*The one of the Church of England.*  
*The other of the Church of Rome.*

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L O N D O N,

Printed for *Henry Brome* at the Gun, and *Benjamin Tooke*  
at the Ship in *St. Paul's Church-yard.* 1679.

The Fifth and Twenty

# LETTERS

Grand Court of

The pre-ordained Temporal Authority of  
POPE over the whole Earth

The Sovereign of KINGS  
their own self-claiming Kingdoms

The use of the Church of England  
The use of the Church of Rome

LONDON  
Printed for J. W. Smith, at the Ship and Anchor, in St. Paul's Church-yard, 1725

## FRIEND,

**I** Have got a new Flea in my Ear, which you must needs pull out. It is like enough my importunity may not be over-welcom, and you may think perhaps I grate on our Friendship, by pressing you against your humour : But truly, I have no mind to remain in the dark till you be in the humour of Writing. I may tarry long enough, for ought I see, if I stay till that day comes. In short, I think my curiosity more reasonable than your humour ; and for our Friendship I have given enough to it, and more than I can justify to my reason, by forbearing you thus long ; not but that your last complaints appeared to me as Just as Pathetical, and I truly wish I were able to contribute more to your ease than a fruitless compassion. But what ? because the World goes not as we would have it, must we therefore whine away our lives, and mourn our selves out of what we may have, because we cannot have all we would ? Alas ! we are but Passengers in the Ship of the World. Whatever our desires, whatever our concerns are, we must be carried as Winds and Tides drive the great Vessel. Consider what a fine kind of madness 'twould be, to grow fullen, and neglect our selves, and fall out with our fellow Passengers, because the Winds do not blow as we would have them. You and I have nothing to do with the Helm, and 'tis well we have not, for with our unskilfulness we should quickly have more to complain of than cross Winds. But we know there is a Pilot whom the Seas and Winds obey, and who having the appointing of his Substitutes, we are sure has chosen the fittest. However we know he watches over them himself, and will certainly bring the Vessel safe into Harbour at last. The care of our passage is a business which belongs to him, and with him we may securely trust it. This being so, I cannot see it is other than plain folly to repine our selves at matters which belong not to us, and are besides in safe hands, into a neglect of those which do. Our only business is to know as much as we can of our duty, and do as much as we know ; and this you shall permit me to pursue. If you

refuse to go along with me, I must tell you plainly I shall have more reason to complain of your resty humour, than you of any thing besides.

Lighting by chance on *Aitzema's Resolutions in the United Provinces*, I observed an Address, from the Deputys of the Synods to the States General, which shocked me strangely. The first Article of the means proposed by them for hindring the Popes Hierarchy, &c. runs thus, *That all of the Popish Clergy, Jesuits, Priests, Fryars, &c. be kept out of the Land, they being no Subjects of any secular Princes or Magistrates, but only of the Court of Rome, according to their own Tenets, &c.* Now I wonder not to see the Deputys of Synods willing to be rid of their Clergys company. Every body knows there is no great kindness betwixt them: but that they should deny them to be subjects of Secular Princes, and bring even themselves for Vouchers, is a thing I know not what to make of.

Pray Friend, do these men say true? If they do, the Pope is much a greater man than I took him for. 'Tis not the Patrimony of St. Peter, the Liberality of Pepin, or *Matbildir* which confines his Sovereignty: for 'tis plainly extended as far as his communion, and that not only upon the score of that Supremacy, which shares stakes with Princes, and leaving Temporals to them contents it self with Spirituals; but with a Superiority which admits no Co-partnership, and sweeps all for himself. Methinks it is a pretty trick this of the Pope to get his Subjects maintained at other folks charges, and set up a Principality of his own in the Dominions of other Princes. But yet I wonder how he could contrive it: for should any man but the Pope come to any Prince, and say, I beseech you, Sir, let so many of your Subjects leave acknowledging you, and turn Subject to me; he had need of great power in Rhetorick to hope to prevail. What wise bustles have sometimes been made in the World, and peradventure still continue in some places! Princes think they do great matters when they suffer not the Pope to dispose of Benefices in their Territories to others than their own Subjects; when all the while they have it seems no Subjects to whom they can be disposed, unless they would have them disposed to the Laity, which every body knows cannot be: yet much ado they keep to have those only preferred, who are born in places Subject to them; as if it were

any matter where they were born, If when they come to Benefices they are no longer Subject to any but the Pope; and all the dispute be, whether he shall promote a Subject of this or that Nation, but still equally his own Subject. By this account a Benefice is a strange thing; for it dissolves the Tye betwixt Prince and Subject. And I should think there is no worse nor more ruinous Simony in the World, than to purchase one at the price of Allegiance.

I tell you truly, *Friend*, all this looks to me with a very odd face, and would almost tempt me to suspect animosity had transported the *Holland* Deputys to say more than perhaps they believed. Yet I thought it incredible, that persons chosen and Commissioned to represent their Churches, should come with a lie in their mouth to an Assembly of the *States General*. Besides, the Assembly sitting long, the Churches made a second Address by new Deputys; and They again insisted on the same Article, and for the same reason. I could not believe this perseverance in a change of persons could be without ground. Nevertheless, as I love to hear both sides, I was desirous to know what your men say to the matter.

I had none but *Bellarmin* at hand, with whom, to tell you the truth, I cared not to meddle; I have dealt with him, you know, formerly, and found not my account, and should have been glad of another Chapman. But I was over-stocked with Curiosity, a fretting Ware, and which will not stay for a good Market. As much as my mind misgave me, in defect of another, I ventur'd on him, and read his 28 and 29 Chapters of his first Book *de Clericis*, where he treats of this matter; and 'tis just as I feared; for I know not how it happened, but I have alwaies mighty ill luck with *Bellarmin*; for any satisfaction I have got, I might e'en as well have thrown Cross or Pile for the matter. To my thinking, he talks a good while on both sides, and so as to reserve the liberty of answering *Subjects*, or *not Subjects*, as happens to be most convenient when the Question is askt. On the one side he tells us that the Clergy, besides their Clerical capacity, are also Citizens and parts of the Politick Common-wealth, and in that respect obliged to keep the Civil Laws, consistent with the holy Canons and duty of a Clerical life; because otherwise much trouble and confusion would happen in the Common-wealth. On the other side, that



that the obligation, which the Clergy have to observe the Civil Laws, is directive only, not co-active, and that only in defect of an Ecclesiastical Law. For should an Ecclesiastical Law dispose otherwise even of the temporal things ordered by the Civil Law, the Clergy are to stick to the Ecclesiastical, and not observe the Civil so much as directionally. Again, that they cannot be judged by the Civil Magistrate, if they do not keep the Civil Law; and that their Goods, whether Ecclesiastical or Secular are not liable to the Tributes of Secular Princes.

To my apprehension now, the Clergy, according to one half of this Doctrine, are very good Subjects; according to the other, none at all. If they be parts of the Common-wealth, they must of necessity be Subjects, unless they be Princes; For a Common-wealth holds none but Prince and Subjects. If they be oblig'd to the observation of the Civil Laws, they are Subjects again, that obligation being the very thing we call subjection. But if their Actions, when they break the Laws, are not liable to the cognizance of the Civil Magistrate, nor their Goods in their share in the common burthens; if they obey the Laws only out of good nature, and to do as others do, and no longer than till they have order to the contrary, I should think they are not Subjects, unless in respect of him whose orders they are to obey. For there can be no Subjects without a Prince, nor Prince without Power, nor Power without something on which it may be exercised. If the Secular Prince can exercise no power over their persons, nor what they have, nor what they do; there remains nothing, that I see, on which his Power can work; and consequently neither Power, nor Prince, nor Subject. Wherefore to my apprehension all this is Handy Dandy: the Clergy are Subjects, or not Subjects, according to the hand you chuse, or *Bellarmin* will open.

I could be content to understand by the way, if I might hope to understand any thing of *Bellarmin*, what meaning there is in his distinction betwixt Directive and Co-active obligation. What Directive means, and what Co-active, I think, I understand. He who shews me a way I know not, is said to Direct; and who draws me along in it, whether I will or no, to Force me. So Laws are properly called Directive, because they inform us what we are to do; and Co-active, because they constrain us by fear of punishment to follow their direction. According

cording to this, it may be said with sence, whether with Truth or nois another Question, That the Clergy are directed by the Laws to what is fit for them to do, but not obliged to do it. But it passes my capacity how Obligation should be divided into Directive and Co-active, or Co-active, and not Co-active, when all obligation to my thinking is Co-active. For since he who is obliged to any thing, is not at liberty to do, or leave it undone, but constrained to do it in force of the obligation upon him, methinks obligation imports Co-action in its Notion; and that to say, there can be an obligation which is not Co-active, is to say there can be an obligation which is not an obligation. I fancy *Bellarmin* took his hint from Princes, who being free from the Co-action of their Laws, yet observe their Direction because they will, and see it fit. But then for this very reason, because they are not subject to their co-action, we say Princes are absolutely not obliged by their Laws; and if *Bellarmin* had a mind to make the case equal betwixt them and the Clergy, he should put no obligation in the Clergy, as the Language of the World puts none in Princes. Yet to say the truth, I conceive by his not co-active obligation, he intended not to exempt the Clergy from constraint and punishment, so the Secular Magistrate have nothing to do with it; which whether he have or no, I enquire not now. Whoever has to do with it, if the thing be to be done, if the Clergy be punishable in the Ecclesiastical Court only if you will, co-action still is inseparable from obligation, and not co-active obligation pure riddle.

Again, since the reason he gives of his Directive obligation of the Clergy, is to avoid confusion in the Common-wealth, I would gladly know how much less confusion there would be, if they broke the Laws, not by a refusal of their own, but by command from another. Both ways the Laws would be broken, and so the thing be done, it matters not much which way. If there be any difference, I should think disobedience from private Capricios less inconvenient than from publick commands. Capricios are seldom either universal or lasting. Those who remain'd sober, would help to reclaim the rest, and a hundred remedies might be applied, with hopes of success. But where the disobedience is universal and countenanc'd by Authority, the disease is little better than desperate.

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One had as good say, the Clergy are bound to keep the Laws, as long as they can do but a little harm by breaking them, and to break them when they can do a great deal. Let us put the case in his own Examples. If the Secular Power impose such a rate on vendible things, or forbid carrying of Arms in the night, or transportation of Corn out of the Country, or the like, the Clergy are to obey as well as the rest, till an Ecclesiastical Law dispose otherwise; very well. Let us suppose then that the Secular Power, by the Authority which it has in these things, has rated a pot of Ale at a penny; should the Clergy out of Thrift or stubbornness pay but a half-penny, others would either grumble they should have their drink cheaper, or perhaps sell them none. To avoid this inconvenience, they are *directively* obliged to pay a whole penny, provided the Ecclesiastical Law interpose not; but let that come, and set another rate, a half penny for Example, then they are *Co-actively* obliged to pay no more. Now I would fain know of *Bellarmin*, how much less inconvenience there is, now the Clergy must pay but a half penny out of conscience, than before when they would pay no more out of stubbornness. Will other people grumble less at the inequality, or will they get any more drink? For my part I suspect the Ale-house-keepers will turn stubborn in their turns, and not afford them for their half penny what they can have a penny for of the Lay-good-fellows, who both *directively* and *co-actively* pay still according to the Secular rate. I doubt they will be forc'd to strain a point of Conscience, and for all the Ecclesiastical Law, and their obligation to stick to it, be even *co-actively* obliged to pay as others do, or remain thirsty. Go on if you please to the rest with the imagination, for I will stay no longer here, and when you have considered the difference betwixt breaking the Prohibitions of weapons, or Transporting Corn, &c. by private Capricios, and publick and obligatory commands, tell me whether *Bellarmin* were not in a pleasant humour, and had great care of the Commonwealth, when he made a little inconvenience reason enough to oblige the Clergy to keep the Civil Laws, and permits and makes it their duty to break them with twenty times a greater. I say nothing of the greatest inconvenience of all, the acknowledging a Foreign Authority, which can oblige so great a number of persons living within the bounds, and taken for members

members of the Common-wealth, as belong to the Clergy, to break all Laws even in Temporal things, because at present I mind only how pat the reason is which he gives for his *Directive* obligation of the Clergy: Otherwise that *Doctrine* brings not only confusion and trouble, but ruin to the Common-wealth, and is absolutely intolerable. But this is not a place for it.

To return into our Road, *Bellarmin* tells us at last, that the Clergy and Laity have, even in Temporals, different Laws, a different Prince, and different Tribunals, and that the Common-wealth which holds them, is in truth and formally two Common-wealths, though because they all live in the same place, and under protection of the same Prince, it be materially one. Also that, in respect of the Clergy, Princes are not superiour Powers, and therefore the Clergy are not bound to obey them neither by Divine, nor so much as Human right, unless *Directively* in certain cases, as was said before. This is full and home; for *Bellarmin* can speak plain enough when he has a mind to it. But the Question, and my Curiosity are now at an end. For I do not mean to be laught at by persisting to enquire, whether the Clergy be subject to him who is not their Prince, nor in respect of them a superiour power. It is something strange though. By this account the Clergy are no more subjects to the Prince, in whose Dominions they live, than Aliens, who live in his Country under his protection. They are as much a new and strange kind of Aliens, bred and born, and unmoveably settled in a Common-wealth; and yet Aliens still. However it be, I have no more to say to the *Holland* Deputys. *Bellarmin* has acquitted them. It remains that he acquit himself: for as great a man as he is, so unexpected and so important a Doctrine will hardly pass upon his bare word.

He proves it both from Human and Divine Right. And I commend him for leaving nothing out; but think nevertheless I may deduct the one half, and confine my inquiry to Divine Right. For Human Right being either by Civil or Ecclesiastical Laws, what the Clergy have by Civil Laws, is so far from prejudicing their subjection, that it rather confirms it. For Receiving is an acknowledgment of the power from which they receive. Besides Princes, whether they can or no, yet use

not to grant any thing derogatory from their own Sovereignty: or if they do, recal it on better consideration. What in particular it is, which the Clergy have this way, we must enquire of those who know the Laws; whatever it be, much good may it do them. Were all men of my mind, peradventure it should be more than it is: for I am of opinion, they cannot be respected too much; and whatever serves, whether to preserve or increase that respect, is the Laity's good as much as theirs, and perhaps more.

As for Ecclesiastical Laws, I conceive they need no place of their own at present, but may come in either with Civil or Divine. For if the stress be put only there, so that before the Ecclesiastical Laws were made, the Clergy were Subjects, and had been so still if those Laws had not exempted them from subjection, Princes I suppose will expect their consent should be askt; Ecclesiastical Laws of this nature not binding without the concurrence of the Civil Power. And then the Question will be, to what and how far the Civil power is engaged, which plainly belongs to Civil Right? But if the Ecclesiastical Law be supposed, not originally to give, but declare and press that exemption, as due to the Clergy by an antecedent Law of God or nature, the exemption is then refunded into that antecedent Law, and there, as I conceive, it only pinches. Wherefore leaving *Bellarmin's* proofs from Civil and Ecclesiastical Laws, to those who are skill'd and concern'd in them, I am only curious to know what kind of proofs he will bring from the Divine Law, which if it do command such things as he affirms of the Clergy, truly, I have hitherto been very ill instructed in it. He divides them into the two branches of Positive and Natural Divine Law; either of which would have serv'd his turn; but he will needs undertake for both.

Beginning with the Positive, he desires us first to observe, *That by the Positive Law of God, he means not any command of God properly so called, which expressly appears in Holy Writ, but what may by some similitude be deduced from the Examples or Testimonys of the Old or New Testaments.* Now this seems to me a very inauspicious beginning, and as much as to say, that by the Positive Law of God, he means the *not-Positive* Law of God. For pray what does Positive signifie? It is used in contradistinction to *Natural*, and *Natural* signifies the Law, or Rule



Rule of Actions, imprinted in us by Reason; which inasmuch as it is our nature, gives it the Title of *Natural*; inasmuch as that nature proceeds from God, the Title of *Divine*. But because it happens from the shortness, or corruption of nature, that what appears reasonable to one, appears unreasonable to another; this Rule becomes a kind of *Lesbian* Rule, bent by our passions several waies. To remedy which mischief, and not leave us altogether to the uncertain conduct of our erring Judgements, God in his mercy has expressly declared his pleasure, about what we are to do, or avoid, in the matters so declared. This express declaration is called his Positive Law, which supplies the defects of nature, and freeing us from groping blindly in the dark, and wrangling fruitlessly and endlessly about what is or is not our duty, sets it in a clear light before us, and leaves us nothing to do but perform it.

This being so, I would fain learn of *Bellarmin* what pretence there can be for the Positive Law of God, where there is no express command of his, and we are left to our uncertain Deductions? What difference betwixt this, and the case of pure nature, and what shall hinder us from wrangling as long and to as little purpose, as if there were no such thing as his Positive Law in the World? Nay though we could come to an end, since this end is to be made at last by the force of prevailing Reason, which can satisfy us of the Truth of the deductions it makes, why is not that end to be refunded rather into Reason, than the Law of God? We may possibly have some assistance from it towards the direction of our Reason. But Positive Law is one thing; the operations even of assisted Reason another. And I cannot imagine how the operations of Reason should by one that loves to speak properly, as *Bellarmin* does, be called the Law of God. Though it be the Law of God on which Reason works, yet it's Reason still that works: and unless we have good security that our Reason is particularly directed in these operations, I know not why it may not fail us as well here as elsewhere. A body would think the sad distractions which perplex the World in matters that concern the Law of God, are too good an Argument, that our Reason fails us no where more.

But that the World is a confident World, and the Cry always great whatever the Wooll be, I should wonder people

should not fear to make so bold at every turn with God and his Law. For whoever is mistaken in his reasoning, plainly pins his own mistakes upon unerring Truth; and who is not, has at most but hit upon a true conclusion in Divinity, which if he will call the Positive Law of God, he must have a language by himself.

Nevertheless, if *Bellarmin* once in his life be infallible in his Logick, and have rightly deduc'd his conclusion from his Premises, whether it may be called the Positive Law of God or no, I acknowledge it is to be embrac'd, as all Truth is whatever name it have, and however we come by it. But I must needs avow, his credit is not great enough with me to engage my laziness into the trouble of examining his Arguments. I see he cites Classical Authors, men of great names even among your selves, who know as little of the positive Law, he talks of, as my self, and who positively deny there is any such thing in the case.

By the way, one may perceive it was not Lightness, but Necessity which drew *Bellarmin* to intitle his reasonings to the Law of God. He had a mind to establish the exemptions of the Clergy on that Basis, which he was sure was firm and unmoveable. But because there was no such Law to be found, to put his own deductions in its stead, was a forc'd put. And if a second reason may be thought of, why he should leave undone what was impossible to be done, I suppose he might have some consideration of the Gentlemen his Adversarys. For it would have been a troublesome business to have made out, how there should be a positive Law of God, of which Masters in *Israel*, as well as himself, were ignorant, had he understood by it what others do.

But to let this pass, till he and his Friends are agreed, I have no temptation to thrust my self into their quarrels. I do not think but they have something still to say for themselves, for all he has urged against them. Till he have stopt their mouths, and left them without reply, I think I may take the liberty to think them as likely to be in the right as he, and unblameably dissent from him, as well as those of his own party.

Again, People in this Age use not to perform altogether so much as they Promise: and *Bellarmin* does not promise more than some similitude between the cases he finds in the Scripture,  
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However it be, when I reflect that the Topick which, for want of a better, *Bellarmin* is fain to chuse, is à *Simili*, and that *Like*, or *Unlike* is to be found or made every where: when I reflect, that even this too dwindles into a *quandam similitudinem*, a thing which may be found in the most contrary things that are, for there is some kind of likeness even betwixt Fire and Water, I cannot see but that to meddle with it, is to begin an Inquiry which never will have end. For I believe Doomsday will sooner come, than he shall have made his cases so like, that no difference can be found between them; and till he do, the Topick concludes not.

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degrees. In the first, he places those commands of nature, which are so clearly imprinted in mens hearts, that they need no Discipline or Art, but by the bare light of Reason, even without the help of new discourse, are by all esteemed Just. As that *Good* is to be desired, *Evil* avoided, &c. The second degree, is of those which follow from those first principles as immediate conclusions, naturally flowing by an easie, evident and necessary consequence; and which, as the former, need not Discipline or Art, but only simple discourse, such as all men may have. Of this kind he reckons the commands of the Decalogue. Now the Exemptions of the Clergy belong not to either of these two, but to a third Degree of natural commands, which he says are indeed deduced from the Law of nature, but by a consequence neither absolutely necessary, nor altogether evident, and which therefore stand in need of Humane Constitution.

I should be beholding to him who would tell me what this means. For I can make nothing of it, and am mightily afraid this unnecessary, and unevident consequence of his, has a third quality, and will prove unintelligible too. *Deducing*, I think, signifies discovering the connexion of two Terms between themselves, because they are both connected with one third. If that connexion be not seen, I should think 'tis all one as if it were not: and if it be seen, then to him who sees it, 'tis evident. I should think again, that where there is no necessary consequence, or connexion of Terms in the conclusion, there is no connexion of them with a Third in the Premises. For if there be, their connexion is as necessary, as the connexion of that Third with it self, or its being what it is; so that the consequence plainly is either necessary, or none. If this be so, a consequence neither evident nor necessary, is evidently and necessarily no consequence, and so far from communicating the force of the Law of nature to the conclusion, that it communicates none at all.

Wherefore take away the learned Terms, and that which Bellarmine says, is in plain English this, *I would have you believe that the Law of Nature commands the exemptions of the Clergy, which it may do for ought I know, though I neither see it does, nor any necessity why it should. But yet I would have you believe it, because I find it would be very convenient it should be so.*

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Though this sound not altogether so amusingly as in his language, yet I fancy it might be as efficacious. For plain dealing is a taking thing, and might perhaps work with many; but when you set upon them with dint of Argument, people stand upon their guard, and to attempt them with unnecessary and unseen consequences, is a desperate business, when the most evident necessary in the World often fails of success.

The truth is, *Bellarmin* himself does not trust his Deductions at this time; For he says, they *stand in need of Humane Constitution*. And I pray for what is this Humane Constitution needful? Is it to make the not evident, and not necessary conclusion, evident and necessary, and make that follow from natural Principles, which does not follow from natural Principles? This indeed is what needs: but 'tis more than Humane Constitution can do. For Conclusions follow from the seen Identity of Premises, and all the Authority of all mankind put together, can never make that be seen, which is not to be seen, or an Identity where there is a difference. Or does he mean that Humane Constitution is needful to make the Conclusion, which cannot prevail by its own strength, be accepted in virtue of the constitutive Authority? This indeed Humane constitution can do; for it matters not whether the conclusion be well or ill deduced, if those who can command, will have it obey'd. But then what is established this way stands wholly upon Humane, and not at all on Natural Right, farther than as Nature or Reason is the ground of all Laws. For take away the Humane constitution, nature is so far from obliging any body to a consequence confessedly unconcluding, that on the contrary it obliges him not to accept it, he being not true to his Reason, which is his nature, who does. This being plain, to what purpose does *Bellarmin* keep such ado with the Law of nature, when he meant to resolve all into the pure Law of man at last?

I should guess, by the hint he gives presently after, that he had a mind to make his Exemptions unalterable; for he infers, that what depends on the Law of Nations, which he makes equivalent to his third branch, cannot be abrogated or changed by Princes, because it is in some sort natural. This would have founded something like, if he had not told us what he meant. But the mischief is, we know before-hand, that his *in some sort natural*, means deduc'd from Nature neither evidently nor necessarily,

cessarily, and that signifying not deduc'd, the sort which he calls natural, signifies a sort of standing upon nature, so as not to stand upon nature, but upon the needful humane Authority, that is a not natural sort. And then, because his Exemptions can be no otherwise unchangeable than as they are natural, there is neither evidence nor necessity of their unchangeableness, and so the most that can be said of them, is that they are unchangeable in some sort likewise, namely in such sort as they are natural, that is, in a not unchangeable, or changeable sort.

Wherefore when we come to cast up accounts with *Bellarmin*, and see what his Divine Right amounts to, we find that what he calls Divine Positive Law, is, even by his confession, no Law of God, but deductions from the worst and most hopeless of Topicks. Which who will go about to examine, had need be a man of great leisure, and who can promise himself a great age; otherwise his attempt will be desperate: and what he calls Divine Natural Law, is likewise no Law of Nature, but Deductions like the former, as weak and as endless, and which to save us the fruitless trouble of examining, he fairly gives us warning are unconcluding, And this is Divine Right in *Bellarmin's* language.

Notwithstanding, because Truth has influence on the actions of men, not as it is in it self, but as it appears to them, it imports not so much what is, as what is apprehended; wherefore let *Bellarmin's* proofs be never so bad, if you apprehend them good, 'tis all one as if they were perfect Demonstrations. Tell me then what you think of the matter; what you believe, and what you do in this point; whether *Bellarmin* and the Church be of the same mind, and all the immunities attributed by him to the Clergy, pass among you for unquestionably Divine and Unalterable Right. And remember our Question is not whether they have exemptions or no. Every body sees they are, and ought be free from divers burthens of the Common-wealth, since otherwise they could not live a Clerical life, as 'tis necessary, even for the good of the Laity they should. But the question is, what those Exemptions are, and how They come by them. For my part I should think that if any Exemption claimed or enjoy'd by them, be discovered harmful to the Common-wealth, such an exemption is neither necessary to a Clerical life, nor commanded by God. In particular

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I see no necessity of their exemption from Secular Tribunals, and conceive they might be very good Clergy men without it. What prejudice can it be to the Dignity and perfection of their state, to be aw'd from doing ill by fear of punishment? To do ill is the greatest prejudice to both; how being restrained from prejudicing their state, should be a prejudice to their state, is beyond my understanding. They are but men, as much the best men as They ought to be, and to have their frailty expos'd to one Temptation more than the rest of mankind, and that the strongest of Temptations, Impunity, is, in my opinion, far from a Benefit. I think he is not their Friend who exempts them from fear of punishment, unless he exempt them too from the possibility of deserving it.

Again, would They do any thing misbecoming their condition, if They paid their shares in Publick Taxes? They who are to wean the hearts of the Laity from affection to Riches, and the rest of perishable goods, should rather set them an example of their Doctrine: and are like to be heard but ill, when they Preach on that subject, if they be known to love Riches themselves, and refuse, in the necessities of the Commonwealth, to part with what the wisdom of it judges they may spare. Either shew me that a Clergy man cannot live as a Clergy man should, without such exemptions as these, or I shall never believe they are commanded by the Law of God or Nature.

Then the Tenure, by which they hold what they have, is to be consider'd. Not but what they have purely from the Piety and Liberality of men is truly theirs, and to look upon it with regret, is Envy, and to take it causlessly away, Injustice. Notwithstanding though there were no more in the case, it is a point of Gratitude to acknowledge our Benefactors. But if we reflect, that Divine Right is an unmoveable Basis, on which whatever stands can never be stirred; Humane Right is subject to the contingency of Humane things; it will appear of considerable importance, on which of the two the exemptions of the Clergy be settled; for it may happen, that what is convenient in one time and place, may be inconvenient elsewhere, and in another season. Now 'tis in Human Authority to provide a remedy for whatever inconvenience change of circumstances shall produce in Exemptions derived from Human Authority.

thority. But if all be thought to flow from a Divine Spring, let the waters be never so troubled, or corrupt, never so rapid, or overflow with never so much prejudice, the mischief is without remedy. By the way, since no ill can proceed from the Fountain of Good, if any Exemption bring mischief along with it, that Exemption confutes it self, and needs no second Argument to evidence it has no warrant from God or Nature. *Bellarmin* now says, They are of Divine Right all: Reason says some, at least, are harmful to Princes, harmful to the Commonwealth, harmful to the Clergy themselves: what says the Church? Is she for *Bellarmin*, or Reason? You and I have kept a great coil to little purpose, if she stand fast to *Bellarmin*, and all our past labour is e'en much ado about nothing.

For what avails it to shut up the great gate of Direct, and back door of Indirect Power, if there be still a way underground to get into the house? All hitherto said in behalf of Princes is, that the Pope cannot take away their Kingdoms for any cause. What is this better than a Cheat, if he can, even without any cause, take away their subjects? For what is a Kingdom good for, and indeed what is it but the subjects? Consider what a Prince he were, into whose Dominions strangers might enter in what numbers they pleased without his leave, and plant, and settle themselves, and live without subjection to him; And tell me what difference there is, whether those men be strangers or natives. This is at least a partial Deposition, a fair step to a total, and in some respect worse. For that may be avoided by a Prince, who will alwaies do what the Pope pleases, and give him no hold, since it cannot be put in practice without Demerit. But from this no, even, Merit can preserve any Prince. The Pope not only may, but of necessity must depose him from all Sovereignty over as many as belong to the Clergy. And how far may that carry? Exemptions, if I mistake not, are extended to the Families of Clergy-men too, and for as many servants as they take, so many subjects the Prince loses. What if they should stretch it a little farther to honorary servants too, and bring exemptions into fashion as well as Protections? I should wonder if all this, and twenty times as much, might not be deduc'd from the Law of Nature too, in *Bellarmin's* method, inevidently and unnecessarily. What if they should yield sometimes to the frailty of nature,

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and out of Avarice or Revenge, take their Neighbours Goods or life? If they cannot be Indited, but are exempt from that Fear, which is the great security men in community have of their Lives and Fortunes, I suspect 'twill not be good living too near a Clergy-man.

But to leave such unlikely Speculations, the Clergy, especially in their Countries, where Religious abound, are considerable even in number; and every where in quality, for the Influence they have over the people, more I believe than any other kind of those into which the people are divided. Consider what fine doings there would be, if the most considerable part of a Nation owe no subjection to the Prince, no contribution to the common necessities, no obedience to the Laws, in short, be a part of the Nation, and no part of the Commonwealth. What Title have they to the benefits of it, who bear no share in the burthens? What to the protection of Laws, who break them at pleasure? What pretence to security in the enjoyment of their Goods, from which they, who secure them, can promise themselves no assistance upon occasion? Other mens estates are so theirs, that they are more the Commonwealths, which can at any time take as much of them, as the publick necessities require. With what comes to the Clergy, she has no more to do, more than to keep it safe to them, that they may keep it safe from her, and be a Guard for them against her self. Consider what this imports. I mistake, if I have not heard of times and places, in which a fourth part of the value of the whole has been in the Clergys hands. Riches being the strength of a Nation, that Nation was plainly a fourth part weaker, than it would have been otherwise. But whatever be the proportion, what the Clergy gets the Commonwealth loses, and I suspect there are few which can with safety bate any part of their strength. I will say no more, believing that you see enough what I would be at. Either dam up the Spring, if you judge, as I do, the waters unwholsome, or shew they are wholsome. Chuse which you please, only let me not long bear the burthen of the impatient curiosity which is now upon

*Yours, &c.*

**I** must needs add a word of what every body talks of. What work has their Religion made among us? Pray tell me what you think of the matter: for I will refer it to your self, and make you Judge, whether it be for a rational man, to entertain a good thought of a Religion which has set a whole Nation in a flame. Excuse my Freedom, or if you will, bluntness. Reproaches, I know, ill become the mouth of a Friend at any time, and have something of inhuman in affliction. They are not meant to You, but to that restless Spirit which haunts your Religion, a Spirit which no moderation and good usage of others, no hazard and inconvenience of your own, can charm into quiet; a Frenzy which keeps you always talking and waking even when you are ready to die for want of silence and sleep. For yourself, to do you right, I think you well in your wits, and an honest man, the only honest man of your party.

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FRIEND,

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**Y**OU have the pleasant<sup>st</sup> Fancys! To hear your talk, a man would think Princes could not Rule, nor People live in quiet, and the World in danger of being turn'd Topsy Turvy, and all for a Page or two in *Bellarmin*. The Book has been out a pretty while, and twenty more perhaps have since said as much, perhaps more than he, and yet we make a shift, thanks be to God, to live still, and the World staggers on the usual reeling pace. What is it alarms you thus? Your Clergy pretend to none of those things which disquiet you; and let ours pretend what they will, you know well enough how to deal with them. While you order them as you think fit, 'tis no great matter how they think of themselves: To see the different Judgments of men. This Question, which to you appears so important, and so necessary, to me seems not so much as seasonable. There is no time wherein people should not be wary what they say of those, whose office it is to keep alive the Sacred fire rain'd down from Heaven on the day of *Pentecost*, and press upon us the concerns of the next life, without which all the advantages of this are not only useless, but harmful. But in an Age not at all favourable, and hardly just to them, when all the weight we can throw into their scale will scarce keep the ballance even, methinks 'tis very improper to take any out. All your mighty concern, and all your importunity, should never move me to do it. But I consider that Falshood weighs not; or if it do, 'tis on the contrary side. For the advantages sought from Untruth, turn to disadvantage at last. The Clergy have Prerogatives establish'd by the wisdom and goodness of God, which raise them, as 'tis fit they should be, above the rest of mankind. Who seeks to increase them by ungrounded fancies, is not their Friend. 'Tis as if a man should go about to enlarge his houses with new buildings on a bad foundation, which will certainly fall themselves, and besides endanger to pull down part of the old with them. Who grasps at what is not his, hazards to lose what is. For such is the

the malice of the World, when we have once found a hole in our Neighbours Coat, within a while he may chance to have never a whole piece. If reason warrant us to except against any one, our perverseness will tempt us to except against every thing: And so we actually see there is Confidence, I was about to say Impudence, enough in the World to make even Preaching, and the Administration of the Sacraments common to the Laitie. I know not whether this be not the true, at least original, Reason of the complaints of this Age. However it be, I am perswaded that to discover what is unsound in the Prerogatives, whether pretended by, or obtruded upon, the Clergy, is to deserve well at their hands, and the best, and perhaps only way, to make what is sound more stable and lasting. This perswasion, more than your earnestness, prevails with me to do as you would have me, and tell you what I think of the business with all the sincerity and plainness I can.

In the first place, I think, whatever be of the conclusion, *Bellarmin's* Arguments are not good, and prove not Divine Right, either Positive or Natural; in which, we being all agreed of Human Right, the only difficulty lies. It would save me some pains, if I shifted them off as you do, with quarrelling at the Topicks. But I consider, that though an Argument *à Simili* be none of the surest, and often fail, yet it may hit, and the Topick is allow'd among the rest in Logick. Besides, to reject an Argument, and not say particularly why, is not altogether so fair play. But pray expect not I should be as smart as you. *Bellarmin* never comes in your way, but you must have a Bout at sharps with him. I must confess he has given you some cause to bear him no great good will, but none to fall still into your *Burlesque* fits. For ought I perceive you would be as much at a loss for sport without *Bellarmin*, as some Pulpits for matter without the Pope. They are a pair of Gentlemen without whom, as hardly as you treat them, it seems you would not know what to do. Why cannot you follow the example of his sober stile, and my Lord *Falkland's* advice, to treat controversie with the softness of Love Letters? I have told you of this before, and cannot help it, if you will not out of your way. But you shall go alone for me. I like it not so well to keep you company in it.

To come to the matter; in proof of Divine Positive Law, there are in all four places alledged by *Bellarmin*. The two first are *Gen. 47.* where *Joseph* exempted the *Ægyptian* Priests, and *1 Esdr. 7.* where *Artaxerxes* exempted the Priests of the Jews. These two indeed he touches but gently, and he has reason. The *Ægyptian* Priests avoided the necessity of selling their Lands, by the allowances of Corn they had out of the Publick Granaries: *Artaxerxes* took from his Officers the power of imposing Tributes upon the Jewish Priests and Ministers; and these things are recorded in Scripture. This is the whole matter of fact, which *Bellarmin* barely hints, but says nothing to apply it to his purpose. I for my part, see not how it can be apply'd, unless it be first supposed that every thing contained in Scripture, even in the Historical parts, is positively commanded by God. And that is so far from true, that we see there are blameable and vicious actions inserted in the Sacred History as well as good. Not to go out of our present matter, who will make these examples equivalent to a positive Law of God, must likewise say it is the positive Law of God, that care be taken for the subsistence and priviledges of Idolatrous Priests (for so were the *Ægyptians*) and that Ministers of state turn all Subjects into Slaves as soon as they get opportunity. These places are indeed against *Bellarmin*. For 'tis plain that both *Ægyptians* and *Jews*, had what they had, from their several Princes. And this I think is not proof of Divine Right for Exemptions, but Divine Testimony that they proceeded from Human.

To these two places borrowed from the Gloss upon the Canon Law, out of deference, I suppose, more than needed to the Authority of the Glossator, *Bellarmin* adds two more of his own. The first from *Numb. 3.* where the *Levites* are by Gods appointment given to *Aaron* and his Successors; and God says several times expressly of them, *They are mine.* Were no body wiser than I, this place would prove no more than what need: no Scripture to prove it, it is so clear of it self: viz. That they belong to God in a special manner, whose whole business it is to attend to his service. But *Bellarmin* undertakes to prove out of it, a total exemption of the Clergy from the Tribunals of Princes. His discourse is this, *For those whom God chose for himself, to the Ministry of the Temple, and*  
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*Holy things, He would have Subjects to the High Priest alone, who represented the place of God on Earth, and by this freed them from the Jurisdiction of the Princes of the Earth.* To see how differently the same things will appear to different men! Another in his place would have concluded quite contrary, and thought it plain enough, since the thing for which God chose the *Levites* is exprest to be the Ministry over which *Aaron* was appointed, that the subjection of the *Levites* to *Aaron* is restrained to the Ministry, leaving them in other respects as they were before.

However this is plain, that the whole force of his discourse lies in the word *Alone*, and 'tis plain that he has put in that word purely of his own head, without any manner of warrant from the Text, and besides manifestly contrary to what daily passes before our eyes. For nothing is more ordinary in the World, than for the same man to owe subjection to several powers in several respects. At School we obey our Masters, at home our Parents; and yet Scholars and Children, Masters and Parents, and all are subject to the Magistrate. In what relates to our health, we obey the Physician; in Sea matters, the Pilot; in the concerns of our Fortune, the Lawyer; the Prince, as well as others, is guided by them in such things, and yet all remain his Subjects. The Laity, as well as Clergy are subject to the Spiritual power in Spirituals, without prejudicing their subjection to the Temporal in Temporals. But 'tis idle to dilate on a thing so known and so obvious. It is enough to say that This, whether Argument or Supposition of *Bellarmin*, *The Levites were subject to Aaron, therefore they were subject to him alone*, is wholly ungrounded.

In what related to the Ministry, They were indeed to obey *Aaron*: in other things, for ought appears, they were still subject even to the Judges appointed by the advice of *Jethro*, and much more to *Moses* himself. Only he has set it off to the advantage, by saying, the High Priest *represented the place of God on Earth*: which sounds magnificently and awfully: otherwise, every Prince, and every Magistrate, and every Superiour represent the place of God too, as far as his power goes. And for *Aaron's*, it is expressly confin'd by the Text to the service of the Ministry. When the Army rested, the *Levites* were to receive orders from him about officiating in the Tabernacle, and when

when it marched about carrying what belonged to the Tabernacle: yet none, I believe ever fancy'd, but that the orders to rest, and when, and which way, and how far to march, were given by some body besides *Aaron*.

The other, and only place out of the New Testament, is *Matth. 17.* about the Tribute, which our Saviour paid, but with a declaration that the Children of Kings are free. To save the trouble of turning over more Books, let us e'en refer this matter to *Bellarmin* himself. He tells us there are two interpretations of this place: some understanding it of a payment made every year to the Temple, others of an imposition laid by the *Romans*. According to the first, the force of the Argument he says is this, *The Kings of the Earth require not Tribute of their Children, therefore neither will the King of Heaven require Tribute of me, who am his true and natural Son*. This he thinks the true sense of the place; but withal, that the Argument holds too in the other exposition, according to which it runs in this manner. *The Princes of the Earth are but Ministers of the King of Heaven, and therefore ought not require Tribute of his Son*. According to both, *Bellarmin* confesses that the force of our Saviours discourse lies in this, that He was the natural Son of God. and that I think is to confess, that to apply it to any other, is to take away its force.

Notwithstanding, He will needs extend it to all the Clergy. For, says he, *when the Sons of Kings are exempted from Tribute, not their persons alone, but their Servants and Officers, and Families are exempted likewise*. Whether this may be said or no, methinks it is not for *Bellarmin* to say it. For in his judgment what our Saviour said, related to a Tribute required by God. Wherefore if he apply it to Tributes imposed by Secular Princes, he acts against his judgment. However, it is *Bellarmin* who speaks now, not Christ. Christ spoke only of himself; we hear nothing from him of Servants and Families, but barely of the Sons of Kings; and because we do not, have reason to believe, he meant not they should be comprehended in his discourse; for if he had, he would undoubtedly have comprehended them himself: and if it had been his pleasure to have his Family exempted, as he was himself, he would have signified it. It is manifest therefore, that what *Bellarmin* says, is without any warrant from Scripture. Besides, which ill  
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becomes his learning, it is assuming for proof the very point to be proved. For calling the Clergy the Family of Christ, as he does in the following words, it is all one to ask whether the Clergy, or whether Christ's Family be exempted. Wherefore to assume without proof, as he plainly does, that Christ's Family is exempt, is to assume without proof that the Clergy are exempt. The place then teaches the Divinity of Christ, and to recede even from our right, rather than scandalize our Neighbour; the rest is ungrounded fancy.

As for what he adds, that our Saviour, by paying for *Peter*, seems to intimate, his Family too was free: I know not what may seem to *Bellarmin*, but am sure it does not seem so to every body. If that had been our Saviours reason, it seems he should have paid for the rest of the Apostles as well as *Peter*, who were all of the Family as well as he. Since they were left to the ordinary course of things, it seems to be our Saviours pleasure, that his Family should be left so, whatever were his reason to pay for *Peter*. I might pass over *St. Hierom* and *St. Austin*, whom he alledges; since they say nothing to his purpose. But to dissemble nothing, that which they say is this, *That the Clergy do not pay Tribute, for the honour of God, and as being Children of the King of Heaven.* And this is manifestly true, when Princes for the honour of God have exempted them. And it would be as true of the Laity, under a Pagan Prince, who should exempt them all, as *Artaxerxes* did the Jewish Priests. For even They are the Sons of God too, and Co-heirs of Christ. But that the exemption, of which the Fathers speak, was by the positive Law of God, which is the only question, neither of them do so much as seem to intimate.

He ends with some quotations out of Councils, with which I have no mind to meddle, it being to enter into the Question of the Authority of Councils. It will be enough to say briefly, that if his Councils be so circumstanc'd, as he himself requires they should be to engage our belief, and mean as he does, he has made a down-right Article of Faith of his opinion, and cannot allow for Catholick Authors, those who he says think otherwise. But this is more than even himself pretends. The Councils he cites, all but that of *Trent*, are not free from exemption, I think in his own opinion. And the Council

Council of *Trent* says, Ecclesiastical Immunities were instituted not *Jure Divino*, as some others speak, but *Ordinatione Divina, & Ecclesiasticis Sanctionibus*. He would persuade us the Council speaks in this manner, least people by *Divine Right*, should understand *Canon Law*, which for all *Panormitan*, who he says confutes it, is a Tenet ordinary enough. But by his favour, considering how tender the Council was all along to meddle with points controverted among Catholicks, it is a great deal more likely the Council made choice of that expression, to leave those who are for *Jure Humano* to their liberty. For even they cannot except against that expression, since whatever happens in the World, by whatever means, happens by Divine Ordination. Wherefore the Council, as far as I can see, is so far from settling *Bellarmin's* opinion, that it allows the contrary. However it be, *Hic Rhodus, hic saltas*. *Bellarmin* undertakes to shew us the positive Law of God for exemptions. Let him do this, and not tell us what others think, or say of the matter, even in Council. For this is not the business now.

This is all that *Bellarmin* says upon this Head. But that he liv'd in a place where the Doctrine of Exemptions ran with a strong Current, and so in likelihood was carried away with the stream, it is strange a man of his parts should engage for any thing, for which he had so little to say. He fairly confesses at first there is no express command for what he would persuade us is the positive Law of God : and every body may see there is as little in his Arguments, as in the Text. At least he saw so much himself. For the most he attributes to them is bare Probability. Which is to say in plain English, It may be 'tis so, it may be 'tis not so : I know not whether it be or no. 'Twere ill with the World if the Positive Law of God come once to *Maybe's*. Nor does it consist with his Providence to leave us groping in the dark to find out what his pleasure is with our uncertain guesses, and hit right and get to Heaven, if luck serve. For all our hopes of Heaven depend upon the observance of his Law, and if we have no better security of it than *Maybe*, 'tis pure chance whether we go to Heaven or Hell, and we may e'en throw Dice for our Salvation. In short, These are Arguments of the power of Prejudice and nothing else. *Bellarmin*, I doubt, was deep in when he made

them. Who thinks them concluding, has a better opinion of them than He had, and must needs be in deeper.

And so we are come to the Arguments, by which he would intitle his Exemptions to Divine Natural Law. The first is the Custom of Nations; which seems rather Instance than Argument. He had resolv'd the Divine Right which he pretends into the Law of Nations, and now goes about to shew that several Nations have practis'd according to it. I must confess this substituting the Law of Nations for Divine Natural Law, will not down with me. It is promising one thing, and performing another. For all the World thinks them different, and he himself among the rest distinguishes them as Principles from Conclusions. Which Conclusions, if you will believe St. Thomas, must not be far off neither. Put them as he does, at such a distance, that there is no evident, no necessary connexion between them, and no body but himself can imagine they have any thing to do with the Law of Nature. But there being no need to ravel into that matter, let it pass. *Bellarmin* quotes for the Jews *Exod.* 30. and *Numb.* 1. for the Gentiles, *Aristotle*, *Cesar*, and *Plutarch*: for Christians, a Law of *Constantine*, and another of *Justinian*: not forgetting the forementioned instances of *Pharaoh*, and *Artaxerxes*, which it seems he thinks prove both Positive and Natural Law too. To sift all these quotations minutely, would prove a business, and I love to spare my pains. I conceive we are to set aside what he alledges from *Exodus* and *Numbers*. For that the *Levites* paid not their half Sicle to the uses of the Tabernacle: and that the rest did, belongs not to the Natural but Positive Law of God. For the rest, all he saies is, that something has been done for the Clergy in all the Nations he mentions. Now because he took care before-hand, least we should mistake, to admonish us, that there is no evident nor necessary Light of Nature to guide Nations in this particular, it remains that the Clergy were beholding to the Civil power for what they had. And this every body will freely grant him without troubling his Quotations.

Methinks this difference might be compounded. Rather than fall out, *Bellarmin* shall have it his own way for me. With all my heart let the Customs of Nations carry it. I am sure he is not so unreasonable, as to require that *Artaxerxes* should

*In quantum derivatur à lege naturali per modum conclusionis que non est multum remota à principiis, St. Thom. 1. 2. q. 5. art. 4. ad. 4.*



should be bound by *Pharaoh's* Laws, or *Pharaoh* by the *Ganles*, or *Constantine* by any of them. Let the Clergy then be treated by every Nation according to their own Laws or Customes, and the business is at an end.

But 'twere good we understood one another. A Clergy man is not only a necessary man in a Common-wealth, but one who spends his whole life in the service of it. For the good of particulars, is the good of the whole, and his whole business is to perfect particulars. Now because it is impossible, that who spends all his time in one employment, should follow another, it is plain, that nothing is to be required of a Clergy-man, but the work of a Clergy-man. Whatever callings others follow, whether by inclination, or for advantage, or perhaps by constraint, none can be put upon the Clergy-man but his own. I except cases of necessity, where Clergy-men too sometimes turn Souldiers. This is not to undertake a new calling, but to suspend their own, and that for a short time. As soon as the necessity is over, They are as they were before. Nay a Clergy-man cannot live as a Clergy-man, if he be forc'd to labour so much as for his living. 'Tis true, *St. Paul* upon occasion set his hand to Tent-making after he was an Apostle. But to follow his example, I think one should be in his circumstances, extraordinarily and miraculously, and without his own labour, capacitated for his function. Otherwise, who must take the ordinary way of study, will find there goes so much time to get the knowledge, which is requisite for him; so much to preserve it; so much to exercise it: that there will be none to spare for any thing else. Regularly speaking 'tis necessary Provision be made for him out of our Saviours stock, *Dignus est operarius mercede sua*. The Clergy-man is therefore, by the incompatibility of them with his function, exempted from the Duties of other employments, and has a good title from Nature to such exemptions. For Nature plainly teaches that who has his full load, ought not carry more. And this is common to all Vocations as well as the Clergy. Who is obliged to fight for the Common-wealth, is exempt from Tilling the Ground; who administers Justice, from fighting: and so of the rest. No body I conceive would have any thing to say to *Bellarmin*, for deriving the Exemptions of the Clergy from Nature, if this were what he meant by Exemptions. But

But the Question is, Whether the Exemptions he pretends, *In rebus politicis tum quoad personas, tum quoad Bona*, as he speaks, be taught by Nature? Truly, I am a very ill Scholar in Nature's School, if they be. Subjection in both seems so far from incompatible with their function, that I see not how it is prejudicial, and conceive They may pass very well without those exemptions, and better than with them. I perceive nothing in his Argument towards opening my eyes. That which he saies is indeed true. Many Nations, all if he please, have given exemptions to the Clergy, such as they were: neither do we need Instances to prove a thing has happened; which we know before-hand by Reason must have happened. But it is nothing to the purpose: for we are not a jot the nearer knowing that his exemptions are due to the Clergy from Nature, by knowing that they have had exemption in all Nations. When he proves that his Exemptions are of the number of those, which the Clergy has enjoy'd alwaies, and every where, he will have spoken to the Question. But 'tis too much to expect we should believe no Nation has ever meddled with their Persons and Goods, when he goes not about to prove it so much as of any one. The truth is, the Argument is as plain a Sophism as can be. Exemptions have been used in all Nations, therefore these Exemptions have been in all Nations, is just the same as if he should Argue, Drink is used in all Nations, therefore Wine is used in all Nations. I conceive therefore I may let his Quotations alone, till they be applyed to his purposes, and in the mean time content my self with seeing that the Argument is nothing to the Question.

The second Argument compares the Ecclesiastical and Secular Powers to the Spirit and Flesh in man. *The Spirit*, says he, *though it binder not the actions of the Flesh, when they are as they should be, yet governs and moderates it, sometimes keeping it back, sometimes urging it forward, as it judges expedient for its own end. But the Flesh has no power over the Spirit, nor can direct, or judge, or restrain it in any thing. So the Ecclesiastical Power, which is Spiritual, and by that means naturally Superiour to the Secular, may, when 'tis needful, direct, judge, and restrain it, but by no means be directed, judged, or restrained by it.* This out-runs the

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Constable. By this account the Laity are subject to the Clergy in all things, and the Clergy to the Laity in nothing. Which if it be true, Exemptions are a pitiful matter not worth talking of. For what need has an intire Superiority of Exemptions? Nay, with what good sence can they be applyed to it? An Inferiour indeed cannot command his Superior; but to say the Superiour is exempt from the Inferiour, is a new language. We say he is above him, not exempt from him. This Doctrine turns the scales strangely. Instead of inquiring whether the Clergy be exempt from the Laity, as far as I see, the Laity will be put to their shifts to get Exemptions from the Clergy. However it be, that which *Bellarmin* assumes, is a great deal more than that which he would prove by it, and more ado there will be to get it pass. For the Laity, who contest even Exemptions, will never be brought to acknowledge a total Superiority without unresistable conviction, unless that Superiority be restrained to Spirituals, which as it was never contested, so it hinders not the Superiority which they claim in Temporals.

As for the Argument, it were an easie matter to get rid of it by a blunt denial. For how does it appear, that the two Powers are to one another, as the Spirit and the Flesh? *St. Gregory Nazianzen*, said so in a certain Sermon, and others have taken it upon his credit. Be it so. How does it appear that *St. Gregory*, and those who follow him are not all mistaken? 'Twere something harsh to say so; but yet who did, were at an end of the Argument. For there is no other proof, save a hint of what he has done in his *Book de Pont*. where he only tells the same story more at large.

But to use *St. Gregory* with more respect, let us reflect that a Preacher is one thing, a Disputer another: and therefore what may be very proper for *St. Gregory*, may ill become *Bellarmin*. For many things are very plausible, and very pat in a Pulpit, which will not endure the Test of a severe examination elsewhere. And this happens no more ordinarily than in similitudes. For being generally used, not so much to prove, as to imprint lively in the minds of the Auditory what is proved otherwise, they lose both their beauty and force when they are rack'd into severe proofs. I have not *St. Gregory* by me, to speak with certainty of his meaning, or know how much

much he says of what is put upon him. But I see, as much similitude as he found to his purpose, the cases are unlike enough. The Flesh indeed is subject to the Spirit, or rather acted by it, because taken in contradistinction to it. It is a meer dead clod, which does nothing at all. And though it could: to govern, and direct, and judge, are Actions quite out of its sphere, and of which the Spirit alone is capable. Did *St. Gregory*, does *Bellarmin* himself, or any man in his senses, think in earnest it is so between the two Powers? Is not the Secular as active as the Spiritual? Nay, is not this all the complaint, that it is too active? Can it not govern, and direct, and judge as truly? On the one side therefore we have an Agent and no Agent, on the other two Agents: and yet he would persuade us that these cases are alike, and that *St. Gregory* thought so.

But let the Similitude be what it will, what is it to us? What have we to do with Powers, who are talking of men? It will be time enough to inquire how the Powers are to one another, when it is our business. At present we have other work in hand. *Bellarmin* sales, the Clergy are exempted from Punishment and Tribute. This Clergy are men, and we are examining whether what he says of them be true. Let him not amuse us with Powers. Powers do not pay Tribute, or appear at the Bar. Nor does the Secular Magistrate, or power, pretend to judge, or restrain the Spiritual power. Marry to the man who has it, when by criminal Actions he becomes unworthy of it, the Secular Magistrate does pretend he has something to say. And he may say what he will for *Bellarmin*. For he takes no further care than for the Power, which no body offers to touch, but leaves the poor man in the lurch. And so this similitude which so much pleases *Bellarmin*, that he has it up at every turn, is as bad an Argument as can be. It is neither proved, nor any thing to purpose if it were.

The truth is, here is a plain business clouded with learned handling. Take away the Scholastical appearances of Authority of Fathers, similitudes and Arguments, and who can tell ten, can see all that is in it. Every body knows there are two powers in the World, the Spiritual and the Temporal, and every body knows men are subject to both. This is no  
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news. Now we must needs be told that the Spiritual power is to the Temporal, as the Spirit to the Flesh. Which if it signifie that the Spiritual power is, as *Bellarmin* phrases it, naturally superiour to the Temporal, and so the Temporal acts with the leave and according to the pleasure of the Spiritual, it is manifestly false. For the Powers are both supreme, and independent of one another, as we have discours'd formerly. Nor can *St. Gregory* of all men, be thought to mean so, who if *Caron* cite him right, says, the Temporal power is supreme (*Summa*) and full, and liable to the pleasure or command of no other. Besides that elsewhere, he expressly includes himself in the number of those who are to obey the higher powers for conscience, and in force of a Law clearly promulgated by the Holy Ghost. But if it signifie that all men, even those who have the greatest Temporal power are subject to the Spiritual, it is very true. The Sword which Kings bear exempts them not from the Keys. In this sense I guess *St. Gregory* meant it, because the similitude, though not altogether exact, yet is not amiss, nor misbecoming his learning. For the Secular man is, as the Flesh, ignorant in the waies of the Spirit, and though he were knowing, the power of the Keys is not given to him. Indeed he is not altogether guided as the Flesh by the Spirit; but similitudes must not be search'd too near. All this goes well. But why so much cackling for this Egg? Balk them not with the crack of learning, and men will croud into this toyl of their own accord. This subjection to the Spirit is but in the waies of the Spirit. And all the story in two words of plain *English* is but this, In Spiritual things men are subject to the Spiritual power. And who needs *St. Gregory*, or *Bellarmin* to tell him that?

With all this ado, we are but just where we were. The Secular man is indeed subject to the Spiritual power in Spirituals; but why is not the Spiritual man subject to his power in Temporals? Because, says *Bellarmin*, the Flesh never governs the Spirit, and the Secular man is as the Flesh. Yes in Spirituals: but in Temporals He, and He alone has the knowledge. The Spiritual man is as ignorant in them, as he in Spirituals. He too, and He alone has the power. For the same hand which gave the Keys to Bishops, gave the Sword to Kings. Where-

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fore He is now the Spirit, and the Spiritual man the Flesh. And so the very similitude which was brought for exemption does in truth prove subjection.

I have been the longer upon this point, because the same clew will guide us through all the Labyrinths. Here the Clergy are the Spirit; afterwards, Fathers, and Shepherds, and the Lot of God. And all this is but the same stuff cut into several fashions, which makes not the Web the stronger. He says then, for a third Argument, that *'in against nature for Children to rule their Parents, or Sheep their Shepherd; and the Clergy are Fathers, and Shepherds.* True; but as they were the Spirit before, in respect of Spirituals: in relation to Temporals the Magistrate is the Father and Shepherd. And so we ordinarily call good Princes the Fathers of their  
 May 44, & Country, and a Temporal Prince is called by God himself  
 45. his Shepherd, and his Christ too. Sure *Bellarmin* will not perswade many, that a man is a Father and a Pastor, when he breaks the Laws, and refuses to contribute to the necessities of his Country. To do so, is not to feed, and keep the Wolf away, but to starve, and let the Wolf in to devour the Flock. And that we should be obliged to look upon and treat a man as a Father and Pastor, when he is not so, but the quite contrary, whoever may teach, nature does not. This Argument, like the former, flies in his face who makes it. We need Spiritual food, and Spiritual direction, and to be preserved from the Spiritual Wolf the Devil. We need also Temporal food and direction, and safety from the Temporal Wolf, the Enemy. The Clergy needs all this as much as other folks: and therefore as they are Fathers and Pastors, in as much as they supply our Spiritual wants: so they are Children and Sheep, in as much as they receive Temporal things from others, and so by nature obliged to obey their Temporal Fathers and Pastors.

*Bellarmin* Objects this very thing against himself, and Answers, That a Prince is indeed a Spiritual Child, and Sheep of the Priest, but the Priest can in no wise be called the Child or Sheep of the Prince. And that for a very strange reason; because Priests and all Clergy-men have a Spiritual Prince of their own, by whom they are governed, not only in Spirituals, but in Temporals too. But can the Notion of Father and Shepherd

herd be apply'd to that Spiritual Prince in respect of Temporals? Does he provide Temporal Pastures for the Clergy? Is it from him they have safety and quiet when they feed? Does he drive the Wolf away? We see with our eyes those things are done by the Temporal Prince; and these, and the like, being the things which ground the Notion of Father and Shepherd in Temporals, these Notions as evidently belong to the Prince, as the Actions. This which *Bellarmin* says, is extremely absurd and intolerably pernicious on other accounts. But I mind not the *Position*, but the *Answer*. Since the Prince breeds and nourishes, feeds and secures Priests, as well as others in the Politick life: it is plain he has in that respect the Notion of Father and Shepherd even to them: and *Bellarmin* has no manner of Reason to deny they may be called Children and Sheep, and obliged to do what nature teaches Children and Sheep ought to do.

The fourth Argument is this, *The Clergy are the Ministers of God, consecrated to his service alone, and offered by the whole people for that purpose, whences they have their name as belonging to the Lot of God. But the Princes of the World certainly can have no right over those things which are offered and consecrated to God, and made as it were his proper goods.* If I had a mind to Dispute of Etymologys, or thought it worth while to maintain against him, that the Clergy have their name, rather because God is their Lot, than They Gods, there would be enough to take my part. But I love not to lose time; for which reason too I forbear to except against all that is exceptionable in the Argument. It will be sufficient to say, that it differs little in substance from its fellows, only it is set forth in another manner. The Service, and Lot of God, are but what he called Spirit and Pastors before. And the same Key will serve to the Lock. In as much as they are the Lot of God, and in respect of his Service, to which they are consecrated, the Clergy are unaccountable to the Secular Power: but when they devest themselves of the Clergy-man, and wear only the man, that man, if he deserve to feel the Secular Sword, may, for any thing I see in the Argument. Wick- edness is sure no part of God's Lot, nor can I imagine how the privilege of his service should be pretended where there

is no service of his; nay, where the pretender acts directly contrary to it. Were it true, that Princes had nothing to do with things belonging to God, or men consecrated to his Service, all Christians, and all things seem in a fair way towards Exemptions, as well as Clergy-men. For God has a very true property in all Things, and Christians are all, and that very solemnly, consecrated to his service. They serve him indeed in another way than the Clergy, but they truly serve him, and are by solemn consecration obliged to that service. Since we see that service is so far from exempting them from subjection to Princes, that obedience to them is part of it, it is plain there is no repugnance betwixt the service of God and subjection to Princes, unless they command things contrary to that service. And from such commands all men are exempt as well as the Clergy; with this difference, that the Clergy are exempt from all that is contrary to the service of Clergymen, the rest only from what is contrary to the service of Christians.

Yet Bellarmine would bear us in hand, that what he says is certain, and tells us that *the Light of Reason shews it, and God has not obscurely delivered it in the last of Leviticus. Whatsoever is once consecrated to God, shall be Holy of Holys to the Lord.* The Light of Reason may indeed do much, when he makes it appear: but He, who is so much for Exemptions, should methinks allow us to be exempt from the Ceremonial Law. The Chapter he cites takes order about the offerings made to God, and appoints some to be redeemed, others not. But those commands are given to the Jews; we see nothing like them in the Christian Law. And no body knows better than himself, that we are to be guided by our own, not their Law, and that it lays no obligation on us purely as their Law, though the matter of it do sometimes bind us on the score of Reason. He says indeed, that 'tis so in this case, but barely to say so is not to prove. His word, if that were the business, would go far with me; but when he is making Arguments, I expect an Argument. I say no more at present, because this I conceive is as much as needs for an Answer, and I intend to discourse of the merits of this cause more at large hereafter.

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The fifth and last Argument is from signs and Prodigys, shewn, as he says, by God on those who have presumed to violate Ecclesiastical Immunities. For proof of this, he sends us to one *Bredembachius*, an Author I have never seen, and therefore not knowing, nor having means to know particulars, can only answer in general. If the signs and Prodigys, he talks of, be true Miracles, and those express to the point, clearly wrought in confirmation of Immunities extended as far as *Bellarmin* stretches them, though I am slow of belief; yet if it be truly so, I will wash my hands of the business. God forbid I should doubt of any thing, let it seem never so strange, and never so cross to my reason, which carries his seal to it uncounterfeited. But I am strongly persuaded there is no such matter. If there were, *Bellarmin* is a strange man to amuse us with his probabilities, and unnecessary consequences, when he had proof in store infinitely more convictive than even demonstration it self. A Miracle may, perhaps, have been done to shew God's care of the Church, or Ministry. He is not less powerful now than heretofore in his Judgments upon *Nadab* and *Abiu*, *Oza* and *Ozias*. But Miracles are not lightly to be believed, and when they are manifest, *Bellarmin's* Doctrine may be ne'rre the truer, unless they come home to it. In likelihood, who had *Bredembachius* to see what he says, would find no more than observations of signal, perhaps unusual and unhop'd prosperities happening to some who favoured the Clergy, and crosses to those who did otherwise; which his, whether piety or bigotry enhances into Miracles. If this be all the Fire to the smoke, the Topick ill becomes *Bellarmin's* learning. Who had the Malice to collect all that History affords of adversity to the good, and prosperity to the bad, might perhaps make as big a Book as that of *Bredembachius*. For 'tis an old complaint, and that of a Wise man too, that all things happen alike to the Good and the Bad: as if God had no care of the World, while in truth he has the greater by letting things happen so, and by that Providence teaching us not to value the Goods of this World, but raise our hearts to better. I am the apter to think there is no more in it, because *Bellarmin* himself makes a famous business of what I should not have thought worth alledging. As for Prodigys

digys and Signs, as many as there be in *Bredembachium*, he had no mind it seems to become Voucher so much as for one; for he cited not any. But he tells us, the Emperour *Basilius Porphyrogenitus* laies all the Calamities of that time to the charge of a certain Law made by *Nicophorus Phocas* against Ecclesiastical Immunity, and says that since that Law was in force, all things went to wrack. And this he calls a remarkable Testimony. As if that Emperour had been made acquainted with the Counsels of God, and seen the secret springs of Providence, which set the wheels of Prosperity and Adversity in motion; or as if worldly Prosperities were to be look'd on by Christians as the reward of vertue. However a body would think it went not much better with the *Greek Empire* after that Law than before, when notwithstanding the abrogating that Law, it was finally swallowed up by the *Turks*. And now I have mentioned the *Turks*, I remember They Argue something after this manner, when from their success They urge, that God has declared in favour of Mahumetism against Christianity. And with them I leave the Argument, to whom it is a great deal more suitable than to Christians.

So end *Bellarmin's* Arguments, and so might end my Letter, but that, not content with knowing how the waters relish, you expect to have the Spring dam'd up. It is a Task which asks a better Workman, and besides is not the work of a Letter. One half indeed, the claim he makes to the Positive Law of God, needs no more trouble: A plain denial is confutation in abundance; for unless he could shew that Positive Law, which he pretends, the pretence is plainly groundless. To unriddle fully the other half, it would be fit to search into the Law of Nature; for how shall we understand what it commands, unless we first know what it is? Now that is a Question about which men are not agreed, and who would undertake to dispute it from the beginning, and separate the pure Oar of Truth from the Dross of several mistakes, would cut out Work for a Volume. That it is nothing but Reason is sufficiently known: but all Laws being grounded on Reason, they would all be natural, unless their differences were settled by a more particular account. *Bellarmin*, I conceive, does not afford us light enough to see our way.

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He puts three degrees: First principles; conclusions evidently following; and conclusions not evidently following, but which need human Constitution. The two first, he says, belong properly to the Law of Nature; the third is the Law of Nations, which according to the Doctrine of *St. Thomas*, he distinguishes from Civil Law, in that the one is derived from nature, as Conclusions from Premises, the other as a determination of Generals to Particulars. As if it be Natural, that who offends be punish'd, it is Civil, that he be punish'd with this or that punishment. I know not whether the Authority of *St. Thomas* himself will preserve even that distinction wholly from Question. Possibly among Laws confessedly Civil, there may be found proper deductions from Reason, and among those of Nations, determination of generals to particulars. But whatever be of that matter, *St. Thomas* is far enough from vouching what *Bellarmin* says. He, as I observed before, requires that the Conclusions, which he makes the Law of Nations, be not far removed from their principles. Wherefore *Bellarmin*'s second branch of the Law of Nature is the Law of Nations to him. Of the third branch there is no news in him, nor could he make Law of Nature of it, if there were. He is not a man to take an inevident and unnecessary conclusion, for a conclusion; and therefore if he would allow it derived from nature at all, he could allow it only by way of Determination, not of conclusion; that is, for pure Civil, not Law of Nature or Nations. Put it then to *St. Thomas*, and our Exemptions, which are only the third way derived from Nature, owe themselves to the Civil Law, and have no more title to the Law of nature than all Laws; for all are grounded on Reason.

I am mistaken as well as you, if *Bellarmin* do not ineffect say as much himself. For the Law of Nature is universally agreed to be imprinted in us without, and before Constitutions: wherefore to make us a Law of Nature which needs human Constitution, is to make us a Law of Nature, which is not a Law of Nature. Indeed Human Constitution is but another word for Civil Law; unless you restrain Civil Law to one City or Common-wealth. But there is no place for that restriction here. If we were distinguishing

guishing the Laws of men, those of Nations one with another might stand on the one side, and those of one Nation among themselves on the other. But while we are speaking of Civil Law in contradistinction to the Law of Nature, all Constitutions of men, whether of one or more Nations, belong to Civil Law, as in truth they turn all on the same hinges. Wherefore to say his Exemptions need human Constitution, is to say they need Civil Law, and *Bellarmin* though he had a mind to speak big, does in reality agree with those who derive them from Civil power, as you have rightly observed.

But not to stray into every winding of the Labyrinth, let us take what *Bellarmin* gives. *To follow Good, and avoid Evil*, He and all men say is a precept of the Law of Nature, and that in the most proper and most undisputable acceptation of the word. It is plain then that Nature commands not any thing which may happen to be bad. For if what may happen, do happen, it will be bad, and we obliged by Nature to avoid it. Now there is in truth nothing perfectly and every way Good, but God himself; all other things may be good and bad in several respects. But whatever good there is in a thing, if it exclude a greater good, it is to be look'd on as simply bad. Of all the Goods shew'd down by the bounty of God upon men, keeping our selves within the bounds of Nature, there is none which can bear comparison with the good of Government, the source and security of all the rest. Whatever is inconsistent with it, is opposite to the greatest good of Mankind, and must put on the Notion of Bad, even though it might otherwise bear the denomination of Good. Again, nothing is more firmly, nor more evidently settled on Nature. And since no Power directed by Judgment, and least of all Nature, which is directed by the perfection of Judgment, can command Incompatibles, it is plain there can be no command of Nature for any thing incompatible with Government. I conceive then, that without anatomizing the Question of the Law of Nature, your curiosity may be satisfied, if we can find the Exemptions in question inconsistent with Government. For it will be as evident, they can have no pre-  
 tence, either to the Law of God, or Nature, as it is that neither God nor Nature command any thing contrary to the good

good of Mankind, or incompatible with other commands of both, or either.

Let us then briefly reflect, that a Common-wealth is a multitude of men united together for the benefits resulting from the Union. Those benefits *Aristotle* tells us, are all sorts of Goods, and that in abundance, and so as to need nothing out of the Common-wealth. To deduce them particularly will be needless. For 'tis obvious that as much as we need, whether for the convenience or necessity of life, and as much Industry as we may use to get them, no man out of community could call any thing his own, or though he could, were able to keep it, or count longer on it, than till a stronger than himself took a fancy to it. 'Tis Law which determines, and Law which secures property, and Laws are nothing but Rules of men in Community. Take that away and you turn the World into a Wilderness, where men will stray in a wretched and remediless confusion, pinch'd with want, and expos'd to all sorts of violence. Now because no end can be attain'd without means, nor means used without being known; of necessity to attain the end of a Common-wealth there must be some to make known, and direct the means to be used upon occasion, others to pursue those directions. So what was barely multitude before, becomes now a Body, consisting of a Head to order for the good of the whole, and Members to be ordered by it. And in the submission of the members to those orders consists the Union, which gives the name and Notion to a Common-wealth.

This submission cannot be purely voluntary, so that men obey at pleasure, when and as far as they think fit. For not to mention the absurdity of making the Common-wealth depend on Capricio's, unable to act, or even subsist with steadiness, the very notion of submission implys obligation. For it signifies that the member is to be ordered by the Head, and who is at the ordering of another, plainly cannot dispose of himself. Again, there being nothing in man to be submitted but Understanding and Will, and Understanding while it lies hid, and discovers not itself by outward effects, not falling under the Verge of human power, there remains only Will, the principle of Actions, which can be submitted. But where the Will is subject, 'tis plain it cannot be free,

*Perfecta societas Civitas est, que ad summum jam, ut ita dicam, omnis copie bonis omnibus cumulata, nihilque preterea requiritur pervenit. Arist. polit. lib. 1.*

or nor subject. It will perhaps be impertinent to add, that this obligation on the one side to obey, cannot be without power on the other to command. Nor can there be greater or more palpable non-sence, than that there should be a Head to order the Members, without power to order them, a Head being nothing but such a power lodg'd in one or more persons. But 'twill be fit to reflect a little upon this power.

As the whole is evidently so many men, so the power of the Whole is plainly the power of so many men. And since every man has power over himself, and what he has, and the power of every one is transferred to the Head, the Head has plainly power over every man, and what every man has. So that whatever propriety men have by Law in their Goods, or liberty of their actions, 'tis all with subordination still to the supreme power, which has a greater and paramount authority over those very Goods and Actions, and may and ought dispose of them as the common good requires. Neither is any thing more reasonable, nor can it be otherwise. For 'tis only by conjunction with the whole, and as a part of it, that any man has anything. That this Land, or House is mine, and not another mans, is only because it is come to me in such a manner as the Laws of that Society whereof I am a Member, have appointed to make it mine. 'Tis only by the same conjunction a man can keep what he has. Any one that is stronger than he might take it from him, but that the whole in which he lives takes his part, joyned to which he is now stronger than the other, and fears him not. Wherefore since 'tis the whole which gives and secures to every man all he has, the good of the whole is more his good than his private goods can be, and he is wrong'd if when any thing he has is necessary for the good of the whole, it be not dispos'd that way. To grumble at parting with something, when otherwise we have nothing, is a pitch of folly at which fordidness it self I think is not yet arrived. Again, it cannot, as I said, be otherwise. No end can be compassed either without means, or with means out of our power. Wherefore to put a Head to look after the good of the Body, without power over the means necessary to compass that good is manifest non-sence. These means  
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being evidently the Persons and Things within the Commonwealth, the Head must either have power to dispose of both for the good of the whole, or not be a Head.

For which reason that power cannot be separated from it, no not by the Head it self, much less by any body else, and 'twould be ill with men if it could. You may as well separate Rational from man; for that is not more essential to man, than Power to Head. But were it possible, and the Head could strip it self of its power or Headship, it might also, and must by doing so, strip the man, whom he puts out of his power, of his Membership. For plainly no Head, no Member. And then, besides that he would be out of the care of the Head, which is confin'd to the Members, he might at pleasure or upon fancy, lose all the benefits he enjoys by being a Member; and those we have found are both the greatest and all the comforts and aids of life. But I spare this consideration, because I think it will return again. In the mean time, we have in a Commonwealth Power in the Head inseparable, and unconfin'd, and which both may and ought to dispose of all Persons and Things within the Commonwealth for the common good; and in the Members, obligation to concur to, or obey that disposition, and all this with a necessity so absolute, that that who takes either away, takes away the Commonwealth too. It remains to look now upon our Exemptions.

Those, of which you are Sollicitous, are Exemptions of the Persons of Clergy-men from the Tribunals, and of their goods from the Taxes of Secular Princes. Peradventure there needs no more to confute both, than to assume without more ado, that the Clergy are Members of the Commonwealth. It is a proposition which one would think needs no proving, and yet the dispute is at an end, if it be granted. Members are subject; They are Members, therefore they are subject, is pretty evident; and that subjection goes to the very Notion of Member, is already discours'd. Notwithstanding since *Bellarmin* with an inconstancy, which shews he was at a loss, sometimes plainly grants, sometimes in effect denies it, let us cast away a little time upon it.



The end of a Common-wealth being the good of those who compose it, If we stop at the goods of this life, a Clergy-man perhaps is no necessary Ingredient to a Common-wealth. For Peace and Plenty, quiet and security, and whatever relates purely to this World, may be had without him. But take a Common-wealth, for a Society designing and providing for the whole good of man, and a Clergy-man cannot be spared, because on him depends the chief, and in truth the only good of man, *viz.* advancing in the way to Final Bliss. For other things bear not that name with propriety, farther than as they contribute to this good: on the contrary they are harms when they hinder it, as they alwaies do when they do not advance it. Pleasure, and Riches, and what the World calls Prosperity, as much as our vanity prizes them, are in reality wretched miseries, when they are lov'd for themselves, and not used for means to better ends; And the Cobler and Beggar is much a happier man, than he that flourishes in Coaches, and Palaces, if he uses what God sends better. A Common-wealth therefore is not perfect, and in *Aristotle's* language, *Nihil extra se desiderans*, nor able to attain the end of a Common-wealth, the good of man, in which there are not means to compass This, as well as other Goods. It is the Good for which we are created, the care of which no man can put off, and much less a Society of men. This good 'tis plain we cannot have but by the Clergy. It is intrusted to them by God, from whom they received the knowledge of saving truths, and command to teach them to the end of the World. Wherefore whatever be of a Common-wealth, considered purely with relation to the good of this life, a Christian Common-wealth cannot be without a Clergy-man. A Magistrate to end differences, a Souldier to fight, an Artificer, an Husbandmn, or who else is requisite for convenience or plenty, may as well and better be spared, than he who furnishes the Common-wealth with a greater and more necessary good, and without which the quiet, and security, and plenty, and whatever others contribute, is useles. And since 'tis evident that They are all Members, and necessary Members of the Common-wealth, because the end of a Common-wealth cannot be had without them, 'tis evident also the Clergy-man is a necessary Member too, and more necessary

fary than any of them, because he is a necessary means to a more necessary part of the end of a Common-wealth.

'Tis tedious to lose words in a matter determinable almost by Eye-sight. For do we not see They make in most places one, and the first of the three Orders or States, which represent the Body of the Common-wealth? With us indeed They do not make a distinct order, but yet They have their place in the Representatives of the Kingdom. Methinks 'tis something an extravagant business to be put to prove that they are Members, who are every where acknowledged for principal Members. Again, Do we not see they Inherit, and Purchase, and Convey, and do all which men are impow'd by Birth-right and Membership to do, and to which only Members are admitted with exclusion of Aliens? In case of wrong, do they not draw the waters of relief from the great source common to all the Members? And if their Prince deny them Justice, do they not think he breaks his Coronation Oath, to render it impartially to all his subjects? Do they not claim and receive their share in all the advantages and privileges of Members, and to which they could have no Title or Pretence if they were not Members? In short, there is no proving any man a Member, if they be not. For all the Topicks which can be used for any, hold for them; nor is it more repugnant to nature, and incompatible with the Notion of a Common-wealth, that a Member is not subject to the Head, than it is to commonsense that They are not Members.

Lightly then one shall not meet with a wilder fancy than that of *Bellarmin's*, when he says, the Clergy are but material, not formal parts of the Common-wealth, and have a Prince and Tribunals of their own. I doubt, They have no great reason to thank him for his subtlety. For should they be sent to that Prince, and those Tribunals for Justice as often as they need it: (and who but their own Prince is to take care of them?) their complaints perchance might oblige him to think of a second *Recognition*. But yet even so much is enough to spoil his Market. For bare material living in any Country, subjects a mans person to the Laws of that Country, and the Goods he has there to Taxes. Aliens are every where protected, while they break not the Laws; but if they do, it will not avall them to plead, they are not formal parts of  
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the Common-wealth. They are punish'd as natives, according as the Law of the place in which they are, not their own, appoints. They pay Polls likewise, and their share in other Taxes, if they have any thing liable to the Tax. Wherefore though *Bellarmin* went as far as ever he could to find out this Formally, and cannot go farther though he would never so fain, unless he blind folks: (For people who have their eyes can see where the Clergy materially live.) yet this Formality will do the Clergy no good, the material share which he cannot deny them, drawing along with it a share in punishments, when they deserve it, and Taxes too. And as the Clergy are no way advantaged, the Common-wealth I believe will be as little concern'd in his subtlety. So they can punish the persons, and affect the goods, I suppose they will not mind much with what Formalities men of speculation amuse themselves.

But let us look upon those Exemptions a little nearer. That Common-wealth I conceive is sickly, and not like to live long, where the members are not protected from injury, and provision made for their quiet: But where is no power to do it, there can be no Common-wealth. For a Common-wealth is the means to procure quiet and safety, for which men joyn and continue in Society. It can be no means to procure them, if it have no power to procure them, and so ceases to be a Common-wealth, and becomes an independent unfociated multitude, standing every one on his own guard, and at War with his Neighbour. I know not whether it may be called so much as a Heard of a kind of rational Beasts, preying as meer Beasts, the stronger upon the weaker. Now the power of the whole Body being, as has been discoursed, in the Head or Prince, the Prince must have power to right his subjects in case of wrong, or there can be neither Head nor Body. Neither is it material from whence the wrong comes. Whoever does it, whether Native or Alien, in or out of his Dominions, become subject to his Prince whom he has wrong'd, as far as concerns reparation. Relief is sought at his hands, and he gives it by forcing the offender to amends, if he be within his reach, or if he be not, 'tis just to pursue him where he is, and right his Subjects by War.

This Reason indispensably Subjects Clergy-men to the power of the Prince, even though they had, according to *Bellarmin's* extravagant conceit, another Prince of their own. For 'tis not what they are, or to whom they belong, but what They may do. If they can do wrong, we need not look for more. And that they may do wrong, is something too plain. Whatever Exemptions they claim or have, they have none from the corruption of Nature. 'Twere to be wish'd they had. That one Exemption would be more worth than all the rest. But they may, and alas! do fall sometimes as well as others, and need as well as others the fear of punishment, to awe the crookedness of Nature into some straightness. It would sound harsh, and shew perhaps invidious, to dilate this Head into all sorts of wickedness, and shew what might be done, and must be suffered, if there were no help for it. Let it suffice that to deny the Prince a power over them, when they happen to break the Laws and fall into crimes, is to abandon private men to all the wrongs, which the Clergy may be tempted to do, and want virtue to resist the Temptation; to abandon the publick to the remediless danger of machinations, if at any time they arrive at the height of wickedness, Treason. In short, 'tis to deny the Prince to be Prince; For he is plainly no Prince who has no power to right his Subjects. By the way, to avoid mistakes, let me declare once for all, by Prince I mean all along the subject of supreme power wheresoever lodged, in one or more persons, according to the different constitutions of different Common-wealths. That variety is nothing to me, and I will not embroil my self in unconcerning things.

It may perhaps be thought that these are causless surmises, and that the goodness of Clergy-men is wrong'd by being so much as suspected of doing wrong to others, and that however at worst right may upon complaint be had against as many as own him, whom *Bellarmin* makes their Prince. But I doubt there is more of Bigottery, than sense in those thoughts. Not that I question the goodness of the Clergy. But 'tis not for men to change the security of relief, when they need it, which they have from their Head as Members, into a faint, and possibly deceitful confidence of a private mans virtue.

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And then to seek relief from any but ones own Prince, to omit that 'tis unpracticable, and has a hundred insuperable inconveniences besides, 'tis plainly against the nature and end of a Common-wealth. For men live united to obtain redress of wrongs by their union, and would quickly break it, if they be forc'd to seek it elsewhere, and where the very pursuit of it may chance prove as great a wrong, as that whereof they pursue redress.

As these things are too plain to be a secret any where, they are understood in *Italy* it self, and when time was, were actually pleaded. 'Twas urged in behalf of the *Venetians*, in their contests about this matter with *Paul V.* That the power of punishing offences against the Laws, could not be separated from the supreme Power, and that to say a Prince had any body in his Dominions not subject to him in Temporal matters, or any other concerning the publick good, was all one as to say he was not Prince. To make which discourse the more striking They brought it to his own door, and alledged, That the Pope exempted indeed from Bishops and Archbishops, but could not exempt from himself without ceasing to be Pope. They urged also, what peradventure is more sensible in a Country so impatient of injuries, but yet ruinous every where; That the Laity being wrong'd by the Clergy, and not revenged by the Magistrate, will revenge themselves; and which is worse, out of despair of being righted when they are once wronged, study to be before-hand, and prevent the wrongs they fear. Which what a gate it sets open to the disturbance and ruine of the Common-wealth, is needless to be mentioned.

I have not been solicitous particularly of the Exemption from Taxes claim'd by *Bellarmin*, because I think it will not be hard to get his consent, that the Goods of the Clergy go along with their Persons. Nevertheless we may briefly reflect, which I think was hinted before, that the Prince, or supreme power is to provide for the security of the whole; that provision cannot be made without means; that these means being in the hands of particulars, unless they may be taken out of those hands, to be employ'd for the publick good, as occasion requires, no provision can be made, and the end of Society is lost. And since the Clergy have their share, oftentimes a very large one, in the goods of the Common-wealth, as they can hardly

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V.



hardly be spared at any time without envy of the rest, and grumbling at the inequality of publick burthens, so the exigence may be such that They cannot be spared at all. For it may require the utmost of what the Common-wealth can do, and all be little enough. However That what They have may be necessary to the end of the Common-wealth, evidently subjects what They have to the power of the Common-wealth. And this a better Master than Bellarmin, St. Ambrose, has long since taught us in few, but very significant words: *If Thou wilt not be subject (obnoxius) to Caesar, have no things of the World; but if thou hast Riches, Thou art subject to Caesar.*

These Considerations are but a few of many which the subject affords. Who would dissect the Notion of Common-wealth into all the parts which necessarily, and indispensably concur to the whole frame, would never have done. There is enough said for a Letter, and what is said I think is very clear.

'Tis plain the World, which was made for the use of man, cannot be used to any tolerable convenience of life, without those Societies, which are called Common-wealths. 'Tis plain, a Common-wealth cannot be without a Head and Members, nor they without power to command, and obligation to obey, for the end of the Common-wealth. 'Tis plain, the Clergy are Members, at least in a Christian Common-wealth, and though they were not, would be nere a whit the less subject to the Power under which they live, barely by living under it. For which, though I contented my self with alledging the custom of Nations, yet who will may find it in Nature too. As a stranger cannot go into a Foreign Country with safety, unless the Laws there secure him from injury, so neither can that Country receive him with safety, unless the same Laws may hinder him from doing any. Again, those Laws are Rules appointed for the common good, and if the Stranger do not regulate his Actions, and Traffick, and whatever commerce he has with the Natives, by those Rules, the common good is prejudic'd, and the Power to whose care it belongs, is to procure reparation from the Stanger. So that who Travels, does upon the matter leave, or rather suspend his Membership with the community to which Birth subjects him, and

for the time of his stay unites himself to that in which he is, whereof he becomes a kind of Member, with that difference betwixt him and proper Members, which his case requires, and the Laws whether of Nations, or particular Countreys have establish'd. 'Tis farther plain, that Security, and Quiet, are some of the many goods for which men live united in Society. 'Tis plain, they cannot be attained, without power to hinder disquiet, and wrong; and that Power is plainly no Power, if it cannot at where-ever 'tis needful it should for those ends. Wherefore whoever brings disturbance, and injury into the Common-wealth, must of necessity come under the Power which is to keep them out. I might have dilated farther; but I thought it superfluous, conceiving he must be very partial, or rather very blind, who needs more light to discover *Bellarmin's* Exemptions, not only groundless and unproved, but unprovable, and manifestly inconsistent with the great and most natural good of man, regulated Society. Wherefore 'tis as impossible they should be commanded by God, or Nature, as that either can command things harmful to man, or incomparable one with another. Neither can he, who will obstinately persist to maintain they are, avoid being driven at last to say, That Bad proceeds from the Author of Good.

It may seem strange that Learned and Good men should be for things so false, and so pernicious. But whither will not mistaken Zeal transport us? It shew'd them, I suppose, but one side of the Meddall, and made them so hor upon the advantage of the Church, and Church-men, that they mind-ed not the harm they did the Common wealth. Which is the less to be wondred at, because it hindered them from seeing that They hurt even those they think to pleasure. For I am much mistaken if these Exemptions be not more prejudicial to the Clergy themselves, then any body else. And this not only for the dependence the Church has on the Common-wealth, without which it cannot well be, but on nearer and more obvious considerations. Let a King say to a Clergy-man, as *Bellarmin* would have him, *I have no power over you*, He says at the same time, *I am no Head in respect of you, nor you a Member in respect of me, or of that Body whereof I am Head*. Thus much even *Bellarmin* himself says; for 'tis

'tis his distinction of material and formal Members, in other words; though I know he elsewhere speaks otherwise. Now This, if I understand *English*, is to say, *If any body wrong you, you must not come to me for redress; for I have nothing to do with you. Or if good nature make me interpose, 'tis purely out of Charity; not Justice and the obligation a Head has to the Members.*

Pray how far is this from Out-lawry? An Out-law is but one put out of the King's protection: and he who cannot claim his protection of right, seems not much, if at all, better than he who is formally put out of it. For a King may protect an Out-law if he please; and unless he please, at this rate he need not protect a Clergy-man. However barely to change the privilege a subject has to say to his Prince, *I beseech you do me Justice*, into *I beseech you do me a kindness*, is what the Clergy are strange men if they take for a Privilege, and they are stranger friends to them who will not be quiet without it.

Again, will not the case be altered, if those among whom They live, cease to look upon them as fellow Members, and whose good, for the community of Society, is their own? The experience of strangers in all Nations, instructs us sufficiently how coldly people interest themselves in their wants, or afflictions, or whatever concerns. And what more than strangers are They, who by ceasing to be under the Princes power, cease to be parts of the Common-wealth? save materially, as *Bellarmin* phrases it, and so are strangers. Till the World be made up of courtesie, and good Nature, and every body be sure to be their friend; whether he be obliged or no, the Clergy in my opinion should for their own sakes cease even to wish for such Exemptions. As men are now, 'twill be ill for them to have nothing but good Nature, and Courtesie to trust to.

Besides, as the Clergy are of the same nature with other men, they need the same conveniences and supports of life; nor did those, who invented these Exemptions, mean, I suppose, to diminish those conveniences and those supports. Other men seek and find such things in Society: Can the Clergy hope for them otherwise? Can they get what they want, or keep what they get, or recover what they lose, but by means of

the Common-wealth? It is plain, their case is the same with other men in this point. Whatever They enjoy, They hold by Common-wealth Tenure, and cannot possibly hold otherwise. Now I ask not how they can pretend from the Common-wealth, if they be not of the Common-wealth, nor any of the many obvious questions which the matter suggests, and whereof some are partly hinted before. I mind only the Privilege, and would know what Privilege, Exemption from Taxes is, save a Privilege of doing ones self a mischief. A man has a Penny: if he part with one Farthing, he saves three; if he do not, he loses all four. Is it a Privilege to this man, to keep his Farthing, when it is plainly to keep nothing? So it is with the Common-wealth, to which if we contribute nothing, we can keep nothing. It preserves us all we have, and our contributions preserve it. It is the great Ship, which carries us safe through a Sea of miseries, which would otherwise swallow us up. Who desires to be exempted from pumping, and labouring in it, when it is needful, what privilege does he desire, but the privilege of drowning? It is plain, that the good of the whole is every private mans good, and more than any private good can be; for by it he has all other goods. It is plain, that Taxes are necessary to this good. Wherefore it is also plain, that a Privilege of not concurring to Taxes, is but a Privilege of ~~not~~ concurring to a mans own good, and his greatest good; a Privilege of letting the Common-wealth perish, and perishing with it for company. Clergy-men must of necessity stand and fall with it, as well as others, even though they were but material parts of it, as *Bellarmin* fancies. When the Ship Sinks, the Passenger is lost as well as the Marriner.

I cannot imagine how This should be thought a Privilege unless by that error, which has ruined many a Common-wealth, of thinking all lost which is given to the Publick. Did people reflect, that what is given in that manner, is instead of being lost, put out to Interest for them, and to a greater advantage than they can possibly make themselves, They would change their thoughts and language. The true privileged lies on the other side, that by means of Society, what particular men have shall be employed more for their good, and in a better manner, than themselves can employ it; and that, when they

they have not wit enough to prefer a greater good before a less, there are who will take what they are relly to give, and do them good whether they will or no. Next to the Priviledge of Nature, ability to pursue our own good our selves, is the Priviledge of Fortune, to fall into hands which will do it for us. In short, since Man is a Creature made and obliged to seek his own good, and the great good of man is Society, and the good of that Society, the great good of every particular in it, and Taxes are for the good of that Society, to desire to be exempted from Taxes and think it a Priviledge, is to desire to be exempted from acting according to our Nature, and think that a Priviledge which is a misery. For a man who acts not like a man, is a very wretched, and a very contemptible thing.

I desire not to be mistaken, as if I thought a Common-wealth must needs be ruin'd, as often as a private man fails in his *Quota*, or that some, and as many as the Publick pleases, may not be exempted from Taxes. On the contrary, I conceive it not only safe, but even fit to exempt those who have no more than can be spared from the necessities of the Common-wealth without prejudice, or employ what they have to as great, perhaps a greater advantage than Taxes. For the Common-wealth both needs it not for the end of Taxes, and enjoys the benefit of it in another, and it may be better way. And such at least should be the case of the Clergy, of which I intend to say something before I have done. I meant only to say, that not to concur to Taxes is in its nature ruinous to the Publick, and therefore no Priviledge, but a harm to the Refusers, who if the Common-wealth perish, must needs perish with it. And that it's in its nature ruinous is evident. For let every man refuse, the Common-wealth cannot stand. That this effect does not follow, when private men are either exempted, or exempt themselves by fraud, happens not for want of harm in the thing, but because a single man has no sensible proportion to the whole, and so the good or harm he does is imperceptible. Now if there were but one, or a few Clergymen in a Nation, or but one or a few Fields in their possession, as Little in moral things passes for nothing, They would not need to pretend Natural or Divine Law for Exemptions. Every body would be more forward to give to, than take from them.



them. But where They have a considerable part of the Revenue of the Common-wealth in their hands, as in some places of the *Venetian Territory* *P. Paulo* says, they have a fourth, in some a third part, the Common-wealth can hardly be supported without their assistance. For besides that the rest would alwaies grumble at the inequality of publick burthens, They would not often bear them with any tolerable convenience, where so much more than their share is laid on their shoulders.

I forbear to weave the Exemption from Justice into the same discourse, because every body I suppose will do it of himself. For every body must see that Justice is as great, and as indispensable a good as Taxes, as necessary to the whole, and to Particulars; and therefore that the Priviledge of being exempted from it, is but a priviledge of doing the Common-wealth as much harm, as depends on the Exemption; and helping to ruine That with which he must needs be ruined too.

Upon the whole I conceive I may with confidence conclude that these Exemptions, as being many ways harmful cannot proceed from God or Nature, and therefore what the Clergy have of this kind, They have from human Power, seeing, and by their wisdom providing, that what harm there is in their Nature, be over-balance'd by a greater good. And in this perswasion I conceive too I shall be well abetted. Peradventure where things are clear by Reason, more light is as needless, as Torches to see at Noon. But the palate of the Age is queasie. Men refuse good meat sometimes, because they fancy not the dishes, and will not hearken to Truth but from a mouth they like. To gratifie their humours, it will be necessary to take a little more pains, and produce Vouchers of greater credit.

As for grave Authors of his own Form, *Bellarmin* has exempted me from the trouble of looking after them. For he brings them to the Bar himself, and opens their Evidence, and strives to answer it.

I thought once to have Reply'd to his Answers. But besides that my Pitcher, contrary to the case in *Horace*, is already become a Jarr, and 'twould be monstrous to work it into a Tun, I considered it is not our business at present. We are not now upon the *What's said*, but the *Who said it*. To examine

mine

mine who has most reason for what he says, is to turn back to the merits of the Cause; which if any one will do, I am well content to leave him to himself. For he must have either very bad eyes, or much turn'd away, who will not easily see through all that is said. In the mean time it is enough for my purpose that it is acknowledged, and by Bellarmin himself, that what he says is contradicted by Catholics, men of note as well as himself, and whose No has as much authority as his Yes.

But I conceive it fitting to produce some of a higher Form, and whose credit is unquestionable. To begin with one, against whom none can speak, or be heard without impiety, I vouch in the first place St. Paul, Rom. 13. *Let every Soul be subject to the higher Powers.* And here I might end as well as begin: For this is in truth alone decisive. He must have no Soul who can pretend this command comprehends him not. Yet let us hear his Interpreters. Theodoret upon this place has these words, *Give est Sacerdos, &c. whether one be a Priest, or Prelate, or have profess'd a Monastical life, let him obey those (i. e. cedat) to whom Magistracy is committed.* Theophylact, upon the same place, has almost the same words; *Unusquisque gradus, &c. He instructs All, whether a Priest, or Monk, or Apostle, that they be subject to Princes.* St. Chrysostom, Rom. 23. upon the Epistle to the Romans, See as Paulus, &c. But Paul makes use of such reasons to command obedience to the Powers by way of debt, shewing those things are commanded All, as well Priests as Monks, not Seculars only. And thus he declares in the very beginning, when he says, *Let every Soul be subject to the higher Powers: Though you be an Apostle though an Evangelist, though a Prophet, in fine, whatsoever you be.* For this subjection is not against Piety.

Let us next hear Popes themselves. Gelasius writing to the Emperour Anastasius, tells him, that the Prelates of the Church owe him all obedience in Temporals. And again, Ep. 10. *Antiquitus Religiois, Bishops also themselves are to obey thy Laws,* and this because, *inasmuch as concerns the Order of Publick Discipline, that is, the Government of the Common-wealth, We know the power is by supernall disposition, given to Thee.* Anastasius to the same Emperour acknowledges, that Bishops are subject to the Laws of the Prince in what concerns publick

*Lick Discipline: But Princes, so Bishops in dispensing the Mysteries and Sacraments. Pelagius the first, Ep. 16. to Childobert King of France. With how much study and labour must we endeavour, for taking away the scandal of suspicion, to offer the duty of our confession to Kings, to whom the Holy Scriptures command us also to be subject. St. Gregory the Great speaks with a submission which offends Baronius, and makes him strain his wits to find a scurvy way to colour the business. But no Varnish will ly. That he was subject to the Emperours command: That he did what he ought in obeying, the Emperour on one side, and speaking for God on the other: That Power from Heaven is given to the Piety of his Lords, as he calls Emperours: over all men, over Priests, as well as Souldiers, &c. have a blunt ill natur'd clearness, which no Art can practice upon.*

I cannot but take notice by the way how Bellarmine strives to weather those Rocks. He objects against himself the aforesaid place of St. Paul, with the other to the same purpose out of St. Pet. 2. and what St. Chrysostome says of the matter: And answers, That those places are general, and mean no more than that every one be subject to his own Superior. But the subjection of the Clergy to Princes cannot be proved by them, till it be proved that Princes are lawful Superiours, and Judges of the Clergy, which cannot be proved, unless it be proved that Sheep have prebeminance over Pastors, Children over Parents, and Temporals over Spirituals. And yet we do not contradict St. Chrysostome neither. For though we say the Pope alone is the proper Judge of the Clergy and Monks, yet we confess the King is King of them as well as the Laity, and For Princes fight for them, and They must honour and pray for him, and obey him too, directly not co-actively, and with his former restrictions.

That Prejudice should be thus powerful! Is it possible Bellarmine should in earnest perswade himself, the Apostles meant only in general, that every one should obey whom he ought obey, the Laity their Secular, the Clergy their Ecclesiastical Superiour? Are not the Superiours, or higher Powers, whom All are commanded to obey, expressly named by St. Peter, Kings, and Dukes, or Governours, sent to punish evil doers; and by St. Paul, Magistrates who bear the Sword? Can he think this Command is comply'd with by obedience to Ecclesiastical

ecclesiastical Superiours? Are They Kings? Do they bear the sword? Are They the Ministers of God to wrath, and vengeance? What better proof would he have, that Kings are lawful Superiours, even of the Clergy, than *St. Paul* gives, viz. that their powers are ordained by God; whom to resist is to acquire Damnation?

In *St. Peter* we find the reason of his Doctrine express, when he admonishes Christians so to converse among the Gentiles, that They who speak ill of them, may be moved by their good Works to glorify God, and the ignorance of the foolish be silenc'd. By the Calumny which the Apostle means, all Interpreters understand a suspicion crept in among the Gentiles of disobedience to Temporal powers, and contempt of their Laws. For such a seditious Doctrine there was among the Jews, begun by *Judas the Galilean*, and tenaciously embrac'd by the Pharisees. It was too well known by the disorders it caus'd, and being mistaken for a point of the Jews Religion, Christians were aspers'd with it as deriving their Religion from them. Both the Apostles took care to clear Christianity from the aspersion, and therefore instructed the Faithful to obey Secular powers, not by constraint or force, *Propter Iram*, as they phrase it, but for conscience, because such was the Will of God, who had given them the power they had.

This was the matter of Fact. Consider now how *Bellarmin* handles it. There is, indeed, saith he, express mention made of Kings, because at that time it was very necessary, lest they should have hindred the Preaching of the Gospel; but yet the Apostles meant no more, than that every one should be subject to his own lawful Superiour.

Is not this to say, that the Apostles were not men of that holy simplicity, which is believed? For 'tis plainly to go about to over-reach Princes with fair words; to seek, by making them believe They should have obedience from All, to cajole them into the Church, there to be taught a new lesson, and find there was no such matter. Is it not to say, They did not dispence the Gospel with that Fidelity, which they profess? For they included every one within the command of obedience, and yet meant a good part should not be included. They taught that Kings and Magistrates were Higher powers in re-

speaks of all, and that it is the Will of God, that all be subject to them, and know for all that it is not the Will of God, and that they are not higher Powers in respect of the Clergy. In short, it is to make them speak plain non-sence. For if this Comment pass, their discourse will be this: People have no reason to think any Christian disobedient to Civil Authority, For we tell you some must obey it, and the rest Ecclesiastical.

Then for *St. Chrysostom*, he contradicts not him, he says, The Saint says, That All, the Clergy as well as the rest, and the highest degrees of them, are subject to those Higher Powers of which *St. Paul* speaks. *Beharmin* says, Princes can meddle neither with their Persons, nor Goods. Is not this to say, They are not subject? and is not subject, and not subject, contradiction? How can he avoid contradicting *St. Chrysostom*, and the rest, who speak as he does? Why, though he make the Pope alone the proper Judge, yet he allows the Prince to be King of the Clergy, &c. What is this but a new contradiction? For how can a King be a King, and not a proper Judge? To determine differences is one, and an essential part of a Kings Office. 'Tis true, between a Judge by Commission, and a King, there is a difference. And yet even such a one represents the King. But to be a proper Judge, without Commission, by an inherent right of his own, is inseparable from a King. The truth is, 'tis all contradiction from first to last. Secular Princes are not lawful Superiours, and yet Kings of the Clergy, is contradiction. They have Kingly, that is, Supreme Power, and yet the Ecclesiastical is to be obeyed in case of contrary commands, is contradiction. They are Kings in respect of those who are not Subjects, nor formally parts of the Common wealth, is contradiction, &c. And yet this happens not by *Beharmin*'s fault. He has but one; fixing on the wrong side: which whosoever does, let him be never so learned, can no more avoid contradiction, than he can falling, let him be never so dextrous, under whom the ground founders.

But to return to our Road, People may speculate themselves out of Common sence, if they will, and do, more often than every body thinks. The truth is, whosoever takes a wrong Principle, and will pursue it, must come thither at last. Yet though he may so disguise the matter with learned subtleties,

that



that he perceives not where he is himself; Nature will be too strong for Artifice, and show it self through all disguises. Arguments have been made against the possibility of Motion, and whiteness of Snow; but the World will never be persuaded they could not go about their business, in that Snow took a like Jet. We have found the point in question rooted in Nature, and cultivated by the great Labourers in the field of Grace, the Apostles. Either way it must needs grow, and appear in the hearts whether of men or Beasts. And so it evidently does. Let a man go to a Bishop or Priest in any Country of Christendom, and ask him seriously, *Do you belong to the Common-wealth in which you live? Are you a Subject of the Prince?* He would not be thought well in his wits. Such they own, such they call and write themselves, for such the Prince, and People, and everybody takes them, nor is it more known that there are Clergymen, where they are, than where ever they are. They and Subjects of the Prince of the place, both in the esteem of all besides, and their own constant profession.

Take for example, curiosity. (For the cleanness of the thing does not endure proof from the Oath which the Bishops in France make to their King, *I swear and promise to your Majesty, that as long as I live I will be to you a Faithful Subject and Servant, that with all my power I will procure the good of your Service and Estate; that I will never be present at any Council or Assembly held to the prejudice of them; and that if anything comes to my knowledge with respect to good advice to your Majesty, I will not hold it back in my Holy Gospel.*)

It is so palpable a Truth, that Bellarmine, as contradictory as it is to his Doctrine, cannot but acknowledge it. For this reason he is forced to confess, that Kings are Kings in respect of the Clergy as well as Laity; that the Clergy, besides their Spiritual capacity, are also parts of the Common-wealth; and in that quality oblig'd to obedience. For the form of Nature, however it may be obscured in particulars, can not be put out generally; and we for our parts, you know, think as much of what is written in our hearts by the Apostles. But to let that pass; This is in truth the whole business. To your Question, whether the Clergy are Subjects or no, all Christendom answers they are. Now 'tis evident that Sub-

jects remaining Subjects can have nothing inconsistent with sub-  
jection. And 'tis as evident, that the Exemptions in question  
in the latitude in which *Bellarmin* proposes, and we understand  
stand them, are inconsistent with subjection. 'Tis therefore  
evident they belong not to the Clergy by Divine, or any  
Right. Neither can those, which they have, be Exemptions  
from subjection, but in the manner of subjection, as Privi-  
leges put a difference between Subjects, requiring either dif-  
ferent duties, or the same duties in a different manner, from  
some and others. And since the difference between them and  
the lay, as to subjection, is not from their state, and where  
the Laws put no difference, all are alike Subjects, there can be  
no Title nor Pretence to the difference which is, but from the  
Laws, and the pleasure of the Power which made them.

What *Baylon* tells us must be, hangs on the Records at  
St. Asaph, actually was, for the Laws are still extant among  
the rest, which make up the Body of the Civil Law, by  
which the Clergy obtained now one, now another Privilege,  
till the whole number was compleated by many Emperours,  
and in a long time, it had increased so far, that it was  
but my Letter being long, and that Book common, though  
it not convenient to increase it, with copying what who has  
the curiosity may as well see in the Original. Besides, that  
our Country not being subject to the Imperial Laws, the pri-  
vileges of the Clergy here are to be regulated, not by them,  
but our own. Yet 'tis not amiss to see what *Bellarmin* says to  
them. He objects them against himself, as a proof that the  
Clergy heretofore were of Right subject to Emperours, and  
answers that the Emperours sometimes meddle with what they  
have nothing to do, and that for those Laws must needs be said  
to proceed *De Falso*, non *De Jure*, and to have been tolerated  
sometimes, but never approved by Popes.

This to my ear sounds very strangely. What has the Popes  
approbation to do with the Laws of Emperours? Cannot  
They make Laws without asking him leave? Cannot They  
do so much as a kindness to the Clergy, but by authority de-  
rived from him? Again, if his approbation were of any con-  
sideration, how could it appear more plainly than in that which  
*Bellarmin* calls his Toleration? In taking advantage of them,  
and taking care they should be everywhere kept, and the  
Clergy

Clergy enjoy what They had by them? Of which there are instances enough to be produced, if there were need. For I cannot think that *Bellarmin* is of opinion in earnest, that the Pope did not like them, and was not heartily glad of them too. On the contrary I am apt to believe, that had the World remained in the same state, in which it was when those Laws were made, subj<sup>d</sup> to the Roman Empire, He lik'd them so well, that he would never have look'd for more, nor we heard any news of Divine Right. But the state of things altering, and municipal Laws prevailing over those Laws, in a great part of Christendom, it became necessary to preserve those privileges, to find out a Title to them which might do what those Laws no longer could, carry them through every where. Divine Right peradventure had otherwise never been thought of.

But to let this pass, to say the Laws proceeded not *de Jure*, or were unjust, has so presumptuous a sound, that he had need be very sure of what he says, who ventures to say it. Now *Bellarmin* when he was upon the point, and had undertaken the proof of Divine Right, could find nothing beyond probable even to himself. But because Probability makes a man sure of nothing, I doubt he was something too bold with Emperours and their Laws, to Tax them of Injustice. For if they have any, it is more than he knows, even by his own confession.

But let us consider a little, and ask whether the Clergy of those times, when those Laws were made, did know that without and independently of them, They had right to the same privileges by other Laws, those of God and Nature? If they did not, They were manifestly ignorant in a point of Gods Law. (If it be as *Bellarmin* says Gods Law.) Who can imagine this of those Lights, the greatest, since the Apostles days, that ever shined in the Church? And how comes *Bellarmin* to know that of which they were ignorant? If they did, They were manifestly deficient in their duty. For they ought to have instructed the Emperours in this point of Gods Law as well as the rest; otherwise They were unfaithful dispensers of the Word, and subtracted part of what was intrusted to them.

That

That They did not teach the Emperours any such Doctrine, is plain, because the Emperours learnt it not, who yet learned all Christianity from them, and must have learnt this if it had been any part of the Lesson. I hope it will not be put off upon their restiness, to admit a point derogatory to their Authority: Besides, that this conceit traduces Christianity, with holding Doctrines derogatory to the Authority of Princes, and justifies that calumny of the Pagans, which the Apostles were solicitous to take away, 'tis an aspersion unsufferably injurious to the piety of those Emperours, and manifestly impossible besides.

For those Exemptions were not granted all at one time, nor by one Emperour. Between the first grant by *Constantine*, and the last in the Law, there intervened several hundreds of years. During this time these Privileges (for so they are expressly termed) came forth, now one, now another, as the piety of the Prince, the solicitation of the Clergy, and reason of the thing, prevailed. Can it be imagined, among so many Emperours, all Christian, there was no one of virtue enough to admit a Right establish'd by God, and who favoured the Clergy enough not to keep from them what was their due? Were there but one such in all the numbers, as it cannot be deny'd but that there were many, and He made sensible that the Law of God was as *Bellarmin* says, of which it was both their duty and duty and interest of the Clergy to make him sensible, the business could not possibly pass as it did. For he would certainly have acknowledged this Right of theirs, and instead of so many grants one after another, once for all confirm'd their right by his Authority, and this with reference to the Law of God, and as their right, not by way of Privilege, as the stile of their Laws runs. 'Tis therefore as plain as can be, that the Clergy, who were as *Bellarmin* says *de Falla* subjects, thought they ought to be subject. 'Tis plain the Emperours thought so too, and were not otherwise instructed by the Masters of Christianity in those times. Wherefore 'tis plain the sense of the Christian World then, was quite different from what is *Bellarmin's* now, and I think there needs something more than unconvincing Arguments to persuade a man, that the whole Christian World was in an Error.

As for the quarrel he has to the Laws for disposing of things plainly Ecclesiastical and Spiritual, I know not what to say to it, unless he would explain himself a little more. Princes I think may make Laws in matters, plainly Ecclesiastical and Spiritual, without asking *Bellarmin* leave, or giving him cause of offence. When they exact Reverence to be born the Clergy, Tithes to be paid them, the Christian Law they teach to be observed, and a hundred things more, He does not sure believe They do the Clergy wrong, or exceed their own bounds. In general, let a thing be never so Spiritual, and never so much commanded by God, if you will have the Transgressors aw'd by the fear of Temporal punishment, the concurrence of Temporal Authority is necessary to engage the Temporal Sword. Otherwise who is wicked enough to slight the Spiritual, and stand out an Excommunication, may break all the Laws of God at pleasure. Wherefore this Exception to the Justness of a Temporal Law, That it meddles with a matter plainly Spiritual, is plainly no just exception. What *Bellarmin* means by it, we shall know when he tells us what his meaning is. And yet though it were true, that those Princes had sometimes pass'd their bounds, it is nothing to purpose unless it be proved, They did so in this particular. To take first for granted, that Princes did amiss elsewhere, and then require we should therefore believe They did amiss here too, is to impose upon us a little too grossly.

After all, as learned a Jew as he makes of confuting some body, we think all parties are agreed. *The Clergy were heretofore subject, and this appears by the Laws,* says the objection. By the way, this can mean nothing but that, as to the matters indulg'd them by Privileges. They were subject in the same manner as the Laity, till those privileges put a difference between them. Otherwise that notwithstanding their privileges They always were, and still are, truly subjects, is the sense of all the World. To this, what says *Bellarmin*? *That those Laws proceeded de Facto, not de Jure.* This is to say, that *de Facto* They were subject as well as the Laity heretofore, and that this appears by these Laws which proceeded *de Facto*, to favour them in some things. And this is the very thing which the objection says. That they did not proceed *de Jure*, he perhaps may be allowed to say, because he would otherwise have nothing



nothing to say ; but reason will not allow any man to believe him, unless he could prove it, which when he went about to do, we see how ill he succeeded.

In the mean time I see these priviledges were granted at several, and long distant times. I see that the Clergy when they had the former, had not the later, and before They had the first, had none at all. Wherefore I must needs think that as They were *de Facto* subject before the Laws, so they would be *de Facto* still but for the Laws. This way They have a clear undoubted right to their priviledges, as much and as strong as any body has to any worldly thing. No other Right was ever thought of in those Ages ; and yet in those Ages lived all the Doctors of the Church both *Greek* and *Latin*, men who had at least as much insight into the Laws of God and Nature as *Bellarmin*, and as much Zeal for the good and honour of the Church. He does not make out so much as plausibly the Right which he pretends from those Laws. I conceive therefore I may conclude upon the whole, the Exemptions, or priviledges which the Clergy have, are all from Human, not Divine Law, which though it alwaies guided the Church, and was peradventure better understood, and more reverenc'd in former times, was never pretended till lately : That They neither have nor can have any Exemptions, which free them absolutely from subjection, that being a thing which neither a Prince can grant, nor Nature bear : And that whatever *Bellarmin* says, this is acknowledg'd both by the Clergy themselves, and all the World besides, by the universal consent of all people and places that notwithstanding all their Exemptions, They are still truly Subjects, and by being so obliged to all that subjection obliges, with that difference betwixt them and others in the performance of their subjection, which their priviledges import. Possibly out of this universality may be excepted some of those who live as *Bellarmin* did, in the Popes Territories, and so have but one Prince both in Spirituall and Temporals. These are too apt to think it is, or ought to be, with the rest of the World as it is with them ; And who knows whether that conceit be not the original source of the whole stream ? But elsewhere I think the General Rule has no exception.

And so I had done, but that I remember we live in times, in which notice is publickly taken of the contempt of the Clergy,

Clergy, and Reasons given for it. They indeed mis the mark, nor do I think it fit to give the true ones. But I would not have the bad humour of the Age sed by any thing of mine. As *Bellarmin* has gone too far on the one side, ill will may go much farther on the other, and possibly take occasion from what I have said against him to do so. I conceive it therefore fit, before I close my Letter, to resume some considerations, which I forbore to mention when they occurred, for fear of straying from the matter in hand.

*Bellarmin* tells us, the Clergy and their Goods are Sacred things, and the peculiar Lot of God. This, if rightly understood, is a great, and even to the Laity, beneficial Truth. Yet 'tis to be suspected He did not penetrate it enough, because he concludes wrong, that they are therefore both quite out of the reach of Secular power. One might take a fancy to argue them out of the reach of the Ecclesiastical too. For what has any man to do with what properly belongs to God? If you say the Ecclesiastical power is from God; so likewise is the Secular. And so people might with fruitless Conceits and Repartees, go on in endless wrangling.

Let us therefore reflect a little on what every body knows, that God neither stands in need of any created good, nor is capable of receiving either good or harm from Creatures. For that essential and overflowing fulness of his own perfection can neither get nor lose. That overflow of goodness has created man for the good of man, not God, and all material nature besides, not for its self, or for God, but purely for the use of man. Likewise what he commands, or requires of man, is only for the benefit of man, who by obeying or disobeying does himself good or harm, but none to God. Those Phrases therefore of serving God, being his, and the like, are expressions introduc'd by his mercy in condescendence to our weakness, to raise us up by the aw of his interposing, more steadily to perform those actions, which in truth are profitable only to our selves. We have the whole benefit of the service we are said to do him; and in reality serve our selves, when we are said to serve him. So likewise the things which are called his, are neither taken from us, nor spent in any use of his, to whom nothing can be useful, but ordered by him to be employed in a way most beneficial to us, in which they would either not at all,

of not so well and readily be employ'd, if we were not assist'd by an apprehension of a particular concern, or propriety of his in them. Applying this to the Clergy, when They, or their Goods are call'd the Lot of God, given or consecrated to him, peculiarly his, and what else is said of this kind, 'tis not that He is subje<sup>c</sup>t to the *Murm* and *Taxm* found in the World; nor can his property have the same Notion, which ours has in respect of our Goods or Servants, who are wrong'd when they are taken away, or disposed of, without our consent. But the meaning is, that They are establish'd in a way of life in which by actions proper to it, they are to employ Themselves and their Goods, to the greatest advantage of themselves and their Neighbour. From which that they be not diverted by humour, or interest, or violence, to ends less beneficial to mankind, He is intitled to them, that who neither cares nor fears to wrong another man, may be check'd by the fear of wronging God, against whose Anger there is no Shelter.

And very requisite it is, it should be so. A Christian Commonwealth can no more be without Clergy, than Christianity. Because they are men, They cannot be without such things as the nature of men requires, Meat to feed, and Cloaths to cover them; and this not only what is barely sufficient to preserve them from Hunger and Cold; but, as the temper of the World is, where Poverty is alwaies accompanied with abjection and scorn, in a proportion which may keep them in reputation with those among whom They live, and with whom in a condition of Contempt They would want credit to do them the good they ought. Besides, there must be Churches for people to Assemble in; The service there, must not be slovenly, and sordid, and apt to tempt those who come, to irreverence, or abstain from coming again for scorn. You I know blame our Church for excessive Pomp in the Sacred Service; I for my part, think no Pomp can be too much. Had you reflected as much as I have done on the nature of man, and how strong the Animal part is yet in the best of us, peradventure you would be of my mind. But letting that pass, there goes expence to all this, and who will be most thrifty in the Service of God, will find it cannot be performed in any tolerable way for a little.

Christianity would quickly be in a lamentable case, if the Clergy had not wherewith to maintain themselves, as 'tis fit They should be maintained; or their maintenance depended on the Capricip's of often froward, and sometimes malicious men. They must of necessity either diminish into a number too small, or languish in a contempt unable to benefit the World. If there were no money to build Churches, no provision to keep them in repair, no allotments for the expences of the Service in them; within a while there would be either no Churches, or no Service in them. If They were debar'd the exercise of their Functions, or transplanted into other Callings, or so taken up with other employments, that they could not attend their own, whether by the humorous pleasure of other men, or their own irregular passions, mankind must needs lose the benefit it receives by them, and that is no less than the hopes, because the means, of a happy Eternity.

That both the men therefore, and the Goods appropriated to these ends, be look'd upon as Sacred, and appropriated in a peculiar manner to God, and wicked or inconsiderate men be aw'd by the fear of Sacrilege, from prejudicing Christianity, by meddling with either, is a great mercy of God, and great benefit to Man. But it follows not therefore, They may on no occasion be touch'd. A Clergy-man may become wicked, and hardned, and obdinate in wickedness. The good of the Common-wealth may require, that the incorrigible offender be cut off, whether for Example, or to avoid perpetual Injuries and disturbances to particulars, or sometimes hazard to the whole. Can any man think, if this be a requisite and necessary good, that God would hinder it, and that He who neither has, nor can have other end in all his commands, then good to man, should command what is harmful to man? The injury to him, if any could be done him, would be to harbour so preposterous a conceit of him, and his commands, as if he would be displeased when we did our selves good. But if the Temporal Sword must be used, 'tis evident it must be used by the Temporal Power, for the Spiritual has it not to use. And because it must not strike blindly, the Temporal Power must also take cognizance of the matter, and see why, and when, and how far it is fit to strike.

For the rest, here is great reason They should be exempted from Magistracy, and Souldiery, from Trades, Offices, and whatever Services of the Common-wealth. For their own Function plainly requires a whole man, whether you look upon the qualities necessary for it, neither to be gained, nor preserved without long and constant pains; or the perpetual, and those necessary occasions of exercising it. Between both, They have employment for every minute of time they have, and for more if they had it, and must of necessity neglect their own duty, if any considerable part of their time be taken with any other. Again, as a man of no esteem shall be but ill heard of, whatsoever he speaks, there will be small efficacy in their Exhortations to vertue and good life, if They be not in good reputation. Wherefore, if at any time They yield to the temptations of human frailty, it is but fit their faults be kept as much as may be from the eyes of the Vulgar, and rectified among themselves. And if they have Judges of their own quality, to end their differences, and correct their misdemeanours, and preserve their reputation unsoyl'd with the Laity, the benefit is not less, perhaps more to the Laity than to Them. In fine, 'tis for the advantage of the Common-wealth, that They have whatever is useful to perform in the best manner a Function, which is more advantagious to the Common-wealth, than any other is or can be. And if the Common-wealth grant Them not all such Exemptions or Priviledges, or however you will call them, it plainly wrongs it self. But yet it is the Common-wealth which grants them. For as for Judges, unless they Act in the nature of Arbitrators, by voluntary consent and submission of the partys, They cannot proceed to force, but by vertue of the Temporal Sword; and however Ecclesiastical the Persons be, the Judges are pure Secular Judges, when they proceed in that manner. Again, since no person nor his Service can be taken from the Common-wealth without its good will, and consent, the other Exemptions are also from the Common-wealth; though peradventure in things apparently inconsistent with the Function, to allow the Function may be to grant the Exemption without more ado. That of particular Judges is more subject to the circumstances of Time and Place, and therefore more depends on the pleasure of Common-wealths,



wealths, which also proceed differently, as every one finds most convenient for it self.

As for their Goods, to note this briefly by the way, The Clergy were at first rather Trustees, or Stewards than Proprietors. Being look'd upon as men free from affections to the things of this World, the piety of rich men gave largely to them, to maintain Themselves, and the Poor, whence their Revenues got the name of the Patrimony of the Poor, besides to keep the Churches in repair, and furnish the expences of the Service in it. The money thus given was put into the Bishops hands, and by his appointment distributed to the several uses by the Deacons, who gave account of their distribution to the Bishop. Afterwards the passions of men giving occasion to complain of inequality in the distributions, this Arbitrary management was altered by Canons, and the Whole divided into four parts. One for the Poor; another for the Clergy; a third, for Repairs; the fourth for the Bishop and his Family, to exercise Hospitality. In process of time this too was changed. What became of the share of the Poor, and Churches I cannot tell; but the Bishop, and inferiour Clergy, disposed absolutely, and independently, without any account, of their own. An opinion being set on foot, which does not relish with every body, even at this day, that they are true Proprietors of their Goods.

However it be, had They no more than is requisite to maintain them in the way in which 'tis fit they should be maintained; or the over-plus were spent in the uses before mentioned, and for which at first 'twas given; there is great reason to look upon their Goods, as the Lot of God, and upon taking them away as Sacrilege. Neither could the Common-wealth require any thing of them, without employing it in uses less beneficial to It, than those in which it is employ'd already; neither could there be any pretence to do it. For a Common-wealth in her greatest exigencys, never takes from any so much as not to leave them wherewith to subsist. And 'twould be contrary to the end of Taxes if they should. For Taxes are to preserve what people have from Enemys. And no Enemy could take away more than All. So that the Common-wealth by so unjust a Tax would become the Enemy. But it never does Tax those who have nothing to spare, and had the Clergy  
no

no over-plus, They would be in the condition of poor men, untaxable.

But when They have not only sufficient, but abundance, and excess, it is extravagant to fancy the Common-wealth cannot take what is not needed, to employ it where it is. We see their excess, instead of preserving, sometimes diminishes their reputation, and exposes them to the envy, and murmurs of people, who grumble to see the liberality, perhaps of their own Ancestors, abused it may be to vanity. To intitle God to goods so employ'd, is to intitle him to the abuse of things, and to Vanity. Nor can any thing be more ridiculous, than because what is necessary for his Service, ought be esteemed Sacred, and his, to think that must be so too which is employ'd not in his Service, sometimes against it, and his Laws too. In short, if the Common-wealth need it, and They can spare it, It is injurious to God to fancy he would have any thing employ'd less usefully for man than it might be.

Upon the whole, I conceive They have from God the Prerogative of the Keys: They have Commission to go and teach, and Baptize all Nations: They have assurance of his perpetual assistance in the execution of their Commission, and of a Wo if they execute it not, and whatever else appears in the Sacred Books or Tradition. The Piety of Men superadded the rest, some more necessary, all convenient, and which, as many as they are, I wish were more. And so I take my leave both of Them and You, remaining

*Yours, &c.*

Your

**Y**OUR Postscript makes me a very strange Complement. For why should you think me the only honest man? Had you address your self to others, as you might to divers, who would have told you the same tale, They, it seems, would have been the honest men, and I for want of luck, in your black Roll. And yet I think it more possible for thousands of my Religion to get through the grace of God, an intire Mastery over the corruption of Nature in all particulars, than that any wisdom of Laws should make all the Subjects of a Nation honest men. In short, we inherit the Doctrines, and we inherit the Innocence of our Ancestors the Primitive Christians, and while you will have it so, must inherit their hard fate too, and bear the burthen of other Folks folly. But I should think, if you would *Gal. 6. 5. let every one bear his own burthen,* and that *Soul only die which* *Ezech. 18.* *sins,* you would find by experience it were the best Policy as well as Piety. For God's Law is the best way both to prosperity in this World, and happiness in the next. For the rest, I assure you faithfully, I know nothing of the matter you mention. I know that bad effects are not incredible of bad causes, and I know those bad causes have nothing to do, at least, with my Religion. In every thing else, I am as ignorant as those in *China.*

**F I N I S.**